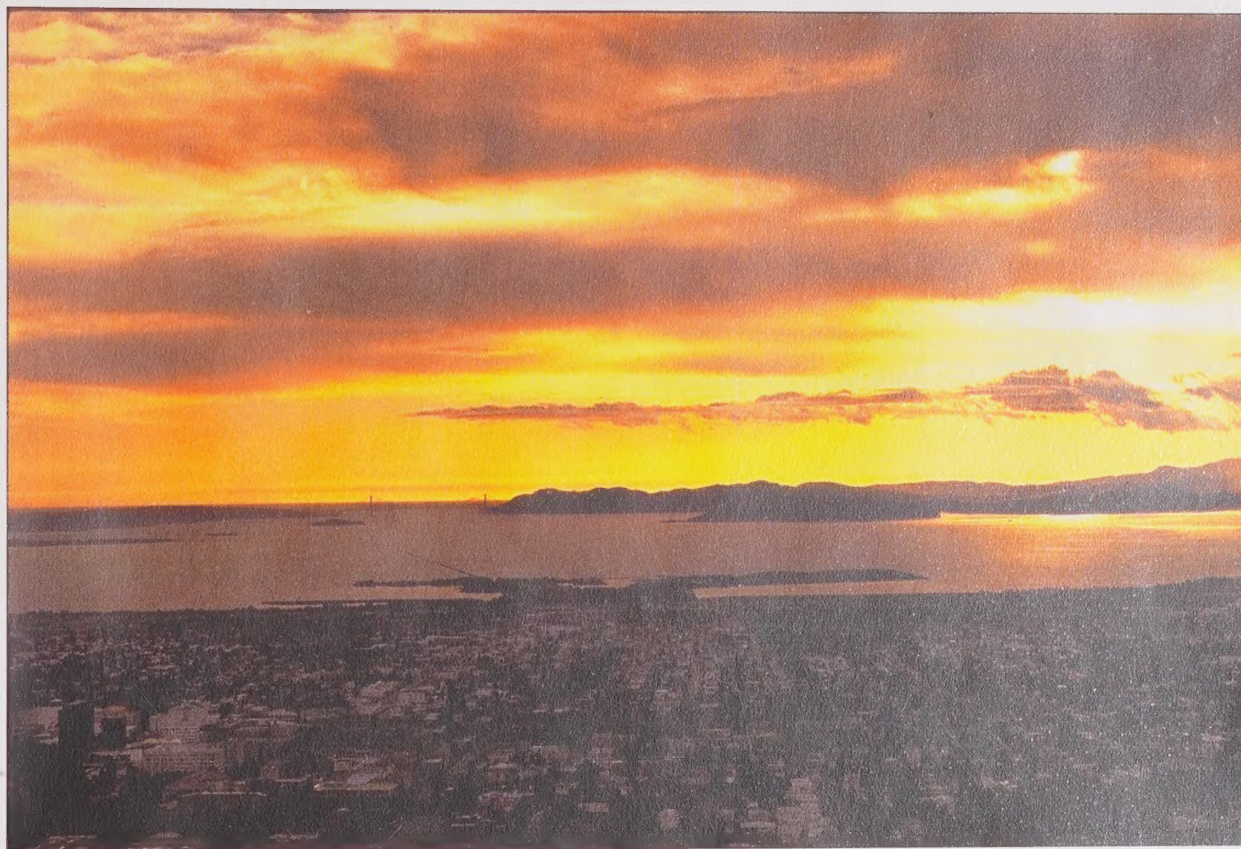


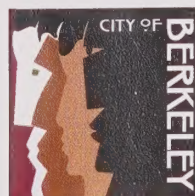
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BERKELEY GENERAL PLAN: A GUIDE FOR PUBLIC DECISION-MAKING



**PREPARED BY THE BERKELEY PLANNING COMMISSION AND THE
CITIZENS OF BERKELEY**

**ADOPTED BY THE BERKELEY CITY COUNCIL
2002**



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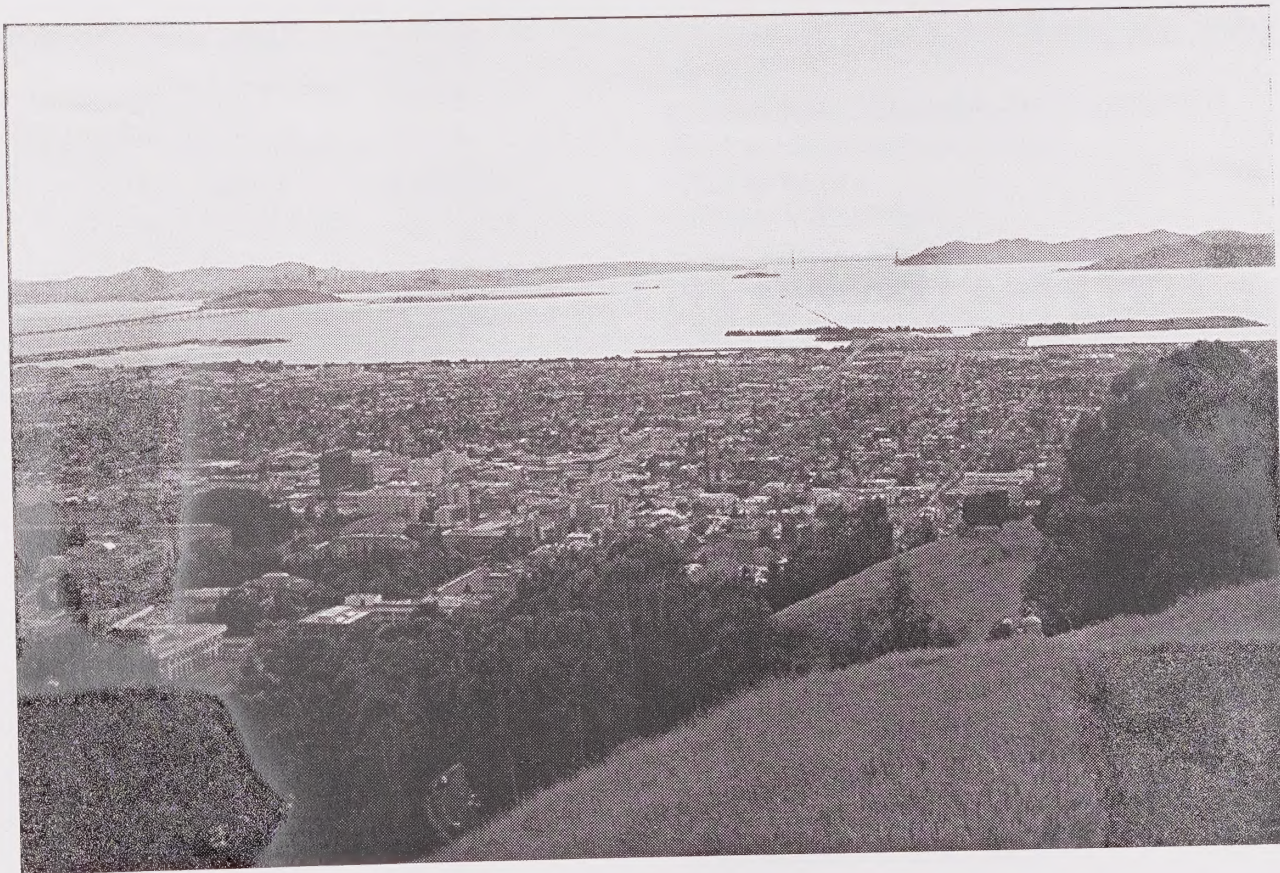
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CITY OF BERKELEY GENERAL PLAN: A GUIDE FOR PUBLIC DECISION-MAKING



PREPARED BY THE BERKELEY PLANNING COMMISSION AND
THE CITIZENS OF BERKELEY

ADOPTED BY THE BERKELEY CITY COUNCIL

THE BERKELEY GENERAL PLAN WAS ADOPTED BY THE BERKELEY CITY COUNCIL IN TWO STAGES.

<u>ELEMENTS ADOPTED</u>	<u>DATE</u>
LAND USE	DECEMBER 18, 2001
TRANSPORTATION	DECEMBER 18, 2001
HOUSING	DECEMBER 18, 2001
DISASTER PREPAREDNESS AND SAFETY	APRIL 23, 2002
OPEN SPACE AND RECREATION	APRIL 23, 2002
ENVIRONMENTAL MANAGEMENT	APRIL 23, 2002
ECONOMIC DEVELOPMENT AND EMPLOYMENT	APRIL 23, 2002
URBAN DESIGN AND PRESERVATION	APRIL 23, 2002
CITIZEN PARTICIPATION	APRIL 23, 2002
IMPLEMENTATION	APRIL 23, 2002

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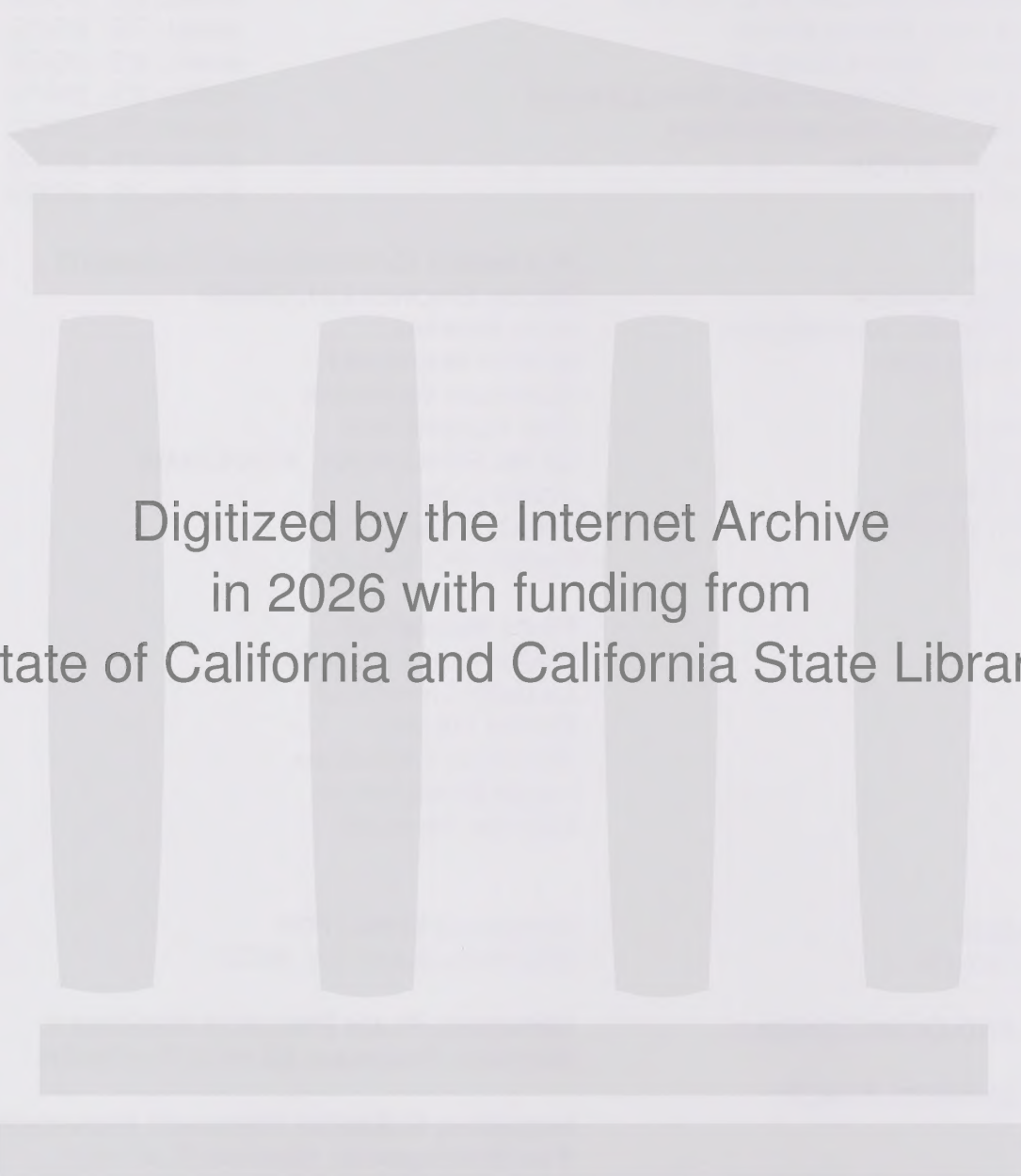
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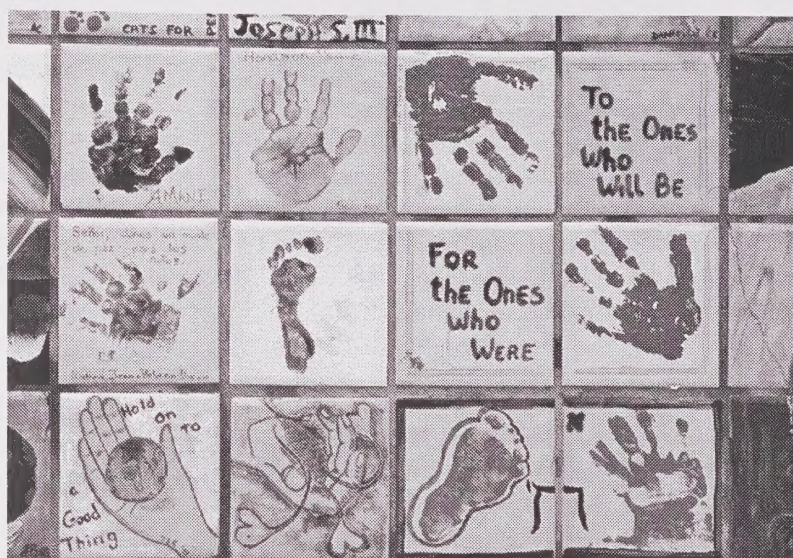
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Introduction



Purpose of the Berkeley General Plan

The Berkeley General Plan is a comprehensive, long-range, and internally consistent statement of policies for the development and preservation of Berkeley. It is a statement of community priorities and values to be used to guide public decision-making in future years. The Berkeley General Plan is a compilation of goals, objectives, policies, and actions designed to manage change. The Plan's goals, objectives, and policies serve as a guide to the day-to-day decisions that are essential for responsive government. Decisions made by the Berkeley City Council and its advisory boards and commissions about the physical development of the city should be consistent with the goals, objectives, and policies of this Plan. The City Council and the Planning Commission will use the General Plan when evaluating land use changes and making funding and budget decisions. It will be used by the Zoning Adjustments Board and City staff to help regulate development proposals and make decisions on projects. The policies of the Plan apply to all property, both public and private, within the Berkeley city limits. Although the University of California and other State and County agencies are not legally obligated to comply with the Plan, mutual cooperation benefits the City, the County, and the State.

Given the broad scope of the General Plan, inherent tensions exist between Plan objectives and policies that must be balanced against one another through the decision-making process on particular development and land use decisions. It is not the intent of the General Plan to predetermine these decisions, but rather to help guide the decision-making process.

Creating the General Plan

Although a number of public workshops and several important publications were completed in the mid-1990s for the update of the General Plan, this General Plan document is the result of an intensive two-and-a-half-year effort by the Berkeley Planning Commission with help from the Berkeley community and City staff. In February 1999 the City Council authorized the Planning Commission and City staff to begin work on drafting a new General Plan for the City of Berkeley. City staff prepared the first draft in May 1999. After a series of five community workshops, staff prepared a second draft in October 1999 for Planning Commission consideration. Over the next 12 months, the Planning Commission held seven

public workshops, which included over 20 hours of “roundtable” discussions. Hundreds of Berkeley citizens participated in the workshops or submitted written suggestions for the Planning Commission Draft General Plan. After an additional series of Planning Commission meetings dedicated to focused discussion of particular policies and policy alternatives, the Planning Commission published a Planning Commission Draft General Plan in October 2000. Following publication of the Planning Commission Draft Plan, the Commission initiated a series of public hearings on the Draft Plan and authorized work on a Draft Environmental Impact Report (EIR) evaluating the Draft Plan. During the spring of 2001, the Planning Commission dedicated another ten Planning Commission meetings to the consideration of additional public testimony and proposed amendments to the Planning Commission Draft Plan and held three public hearings for the public to comment on the Draft EIR and the Draft Plan. The goals, objectives, policies, and actions included in this General Plan are the result of four drafts, approximately 100 hours of public workshops, meetings, and hearings, close to 1,000 pages of policy suggestions submitted by Berkeley citizens, and the hard work and dedication of the Berkeley community and Berkeley Planning Commission.

On July 11, 2001 the Planning Commission concluded its work on the update of the Berkeley General Plan and forwarded its recommended General Plan to the City Council for consideration and adoption.

General Plan Organization

State law requires each city to adopt a general plan for the physical development of the city. State law requires that the general plan include at least seven specified elements: land use, transportation, housing, open space, conservation, noise, and safety elements. The Berkeley General Plan includes the seven required elements. In the Berkeley General Plan, the noise and conservation elements are covered in the Environmental Management Element. The Plan also includes three optional elements: Economic Development and Employment, Urban Design and Preservation, and Citizen Participation.

This General Plan is designed to work in concert with the City's more detailed Area Plans, which were adopted as amendments to the 1977 Master Plan. The General Plan replaces the 1977 Master Plan, the 1980 Economic Development Element, and the 1990 Housing Element. Since this Plan supersedes the 1977 Master Plan, the existing Area Plan documents were adopted as amendments to this General Plan.¹ (Figure 1 on page I-3 shows the areas of Berkeley covered by adopted and proposed Area Plans.) Area Plan goals and policies and General Plan goals and policies must be internally consistent and each must be considered when making decisions. In cases where amendments to Area Plans were necessary to establish consistency between the Citywide General Plan and the Area Plan policies, those amendments are specifically identified in the General Plan.

Each Element of the Plan includes a background section, which provides information on specific topics covered by the Element and a technical basis for the objectives, policies, and actions. In many cases additional reports and plans are referenced as part of the background section. Each Element also includes objectives, policies, and actions. **Objectives** identify the results that the City is trying to achieve or direction in which the City is trying to move. A **policy** is a specific statement of principle that provides direction on a particular issue and ensures that actions are consistent with the direction or end result described in the objectives. **Actions** are strategies, programs, or specific actions to be carried out that will help the City achieve its objectives.

¹ Berkeley City Council Resolution No. 61,533-N.S., April 23, 2002.

Figure 1: Berkeley Area Plans



Figure 1: Berkeley Area Plans (Note: Southside boundaries subject to revision)

Berkeley General Plan Goals

The General Plan identifies seven major goals:

1. Preserve Berkeley's unique character and quality of life.
2. Ensure that Berkeley has an adequate supply of decent housing, living-wage jobs, and businesses providing basic goods and services.

3. Protect local and regional environmental quality.
4. Maximize and improve citizen participation in municipal decision-making.
5. Create a sustainable Berkeley.
6. Make Berkeley a disaster-resistant community that can survive, recover from, and thrive after a disaster.
7. Maintain Berkeley's infrastructure, including streets, sidewalks, buildings, and facilities; storm drains and sanitary sewers; and open space, parks, pathways, and recreation facilities.

The Plan's goals are implemented through decisions and actions consistent with the objectives, policies, and actions of each of the nine Elements. The goals and associated policies and actions are intended to work together in concert to establish and maintain Berkeley as a sustainable community that promotes social equity, environmental quality, and economic prosperity to meet the needs of the present without compromising the needs of future generations.

Goal #1: Preserve Berkeley's unique character and quality of life.

Berkeley is a unique place. It has a population that is ethnically, culturally, and economically diverse and its citizens value that diversity. Its citizens care deeply about their community and many participate actively in its civic affairs. Berkeley is fortunate to be located in the center of the Bay Area with its desirable climate and physical beauty. While much more than just a university town, Berkeley benefits from the University of California's cultural and educational facilities and its positive impact on the local economy. As one of the older cities in the East Bay, Berkeley has a number of lively pedestrian-oriented commercial areas that developed along former streetcar routes and near the University. It has many pleasant, livable residential neighborhoods with many attractive older homes. It has largely avoided the newer car-oriented suburban sprawl and strip mall style of commercial development found in other parts of the Bay Area. This plan includes policies and actions to ensure that Berkeley retains its unique character and quality of life.

Prepare for Natural Disasters. Earthquakes on the Hayward Fault and fires in the hills pose a threat of severe physical damage to the city and the loss of life to Berkeley residents and visitors. The General Plan calls for enhanced preparedness for natural and man-made disasters to minimize damage and effectively implement recovery operations.

Reduce Traffic and Encourage Transit. The increase in automobile traffic volume on city streets, its spillover onto local residential streets, and the increased congestion on a number of major streets have eroded the livability of some parts of the city and pose a continuing threat to Berkeley's quality of life. Berkeley has too many accidents involving pedestrians and bicyclists. There are major gaps in and problems with the transit service available to Berkeley residents. The General Plan contains policies to improve and to encourage use of alternative modes of transportation, including working with transit agencies to establish a citywide or regional "Eco-Pass" program that would provide free transit passes. There are also policies to calm traffic and improve pedestrian and bicycle safety.

Encourage Appropriate Infill Development. With little vacant land available for development, all new development in Berkeley will be infill development. To preserve Berkeley's character, it is essential that infill development be sensitively designed and thoughtfully planned to fit in with the existing built environment. The General Plan leaves in place most development standards and zoning created and implemented through previous area plan processes. This zoning encourages housing and mixed-use

development in Downtown and along the city's transit corridors. The General Plan calls for new development to contribute to the provision of necessary public improvements to serve current and future populations such as open space, transportation, and affordable housing. The Plan also makes a commitment to preserve the city's historic resources.

Goal #2: Ensure that Berkeley has an adequate supply of decent housing, living-wage jobs, and businesses providing basic goods and services.

To maintain Berkeley's unique character and quality of life, Berkeley must strive to maintain the cultural, social, and economic diversity that is such an important aspect of the character of Berkeley. If Berkeley is to remain a diverse community with a wide range of races, incomes, cultures, and ideas, Berkeley must take steps to maintain an adequate supply of decent, affordable housing, a range of jobs, and a variety of local goods and services.

Increase the Supply of Affordable Housing. One major threat to Berkeley's character and to its diversity is gentrification. As rents and home prices rise, fewer people can afford to live in Berkeley. The General Plan contains policies and actions that provide incentives to develop new affordable housing, including revisions to Downtown height bonuses. It also contains policies and actions to maintain and increase the affordability of the existing housing supply, including acquisition of existing rental housing.

Support Local Businesses and Neighborhood-Serving Businesses. There are many independent locally owned businesses in Berkeley, many of them predominantly neighborhood-serving, with others serving broader regional markets. Berkeley also has corporate-owned chain stores. The fact that chains have not come to dominate has contributed to the vitality of Berkeley's commercial areas. The Plan contains policies to support local ownership and neighborhood commercial districts.

Promote a Strong Industrial Base and Living-Wage Jobs. Living-wage jobs for Berkeley residents are important for maintaining stable neighborhoods and quality of life in the city. The Plan supports continued implementation of the West Berkeley Plan with its emphasis on protecting industry. It also supports employment and training programs to increase access to local jobs by Berkeley residents.

Goal #3: Protect local and regional environmental quality.

Without a healthy environment, the high quality of life in Berkeley will be degraded for present inhabitants and future generations. This Plan emphasizes the protection of the environment, both locally and regionally. It addresses City programs and actions, the importance of regional solutions, and the importance of the actions of the individual in day-to-day decisions on the health of the environment.

Reduce the Waste Stream Generated from Berkeley. Berkeley was a pioneer community in the area of recycling. Plan policies continue to support recycling of as much of the solid waste generated by residents and businesses as possible. The Plan also includes policies to regulate hazardous materials and reduce hazardous waste.

Restore Creeks and Plant Trees. Berkeley has a network of creeks, many of them in culverts and not visible. The Plan encourages the daylighting of creeks. Berkeley has been adding trees in recent years and the Plan calls for maintaining street trees and for planting additional trees.

Improve Air Quality and Conserve Resources. Air quality in the Bay Area is threatened by increased emissions from motor vehicle use and other sources. The City Council recently adopted the Resource Conservation and Global Warming Abatement Plan. Many policies from that plan are incorporated into the General Plan. The Plan's Transportation Element contains policies to reduce automobile use and the Land Use Element encourages housing development along transit corridors to reduce the need for automobiles.

Goal #4: Maximize and improve citizen participation in municipal decision-making.

The high level of citizen participation is another important and distinctive characteristic of Berkeley. Several hundred citizens serve on boards and commissions and help to formulate policy and advise the City Council. There are many active neighborhood associations, merchant groups, and advocacy groups.

Improve Notification and the Dissemination of Information. Citizen complaints about inadequate notification about public meetings are common, and access to relevant information and reports can be difficult. The Plan contains policies to improve notification and to take advantage of recent technological changes that can make important information broadly available to the public.

Improve Citizen Participation. Citizens should be actively involved in making decisions about anything that will have an impact on them and their families and neighborhoods. The Plan mandates maximum citizen involvement in all public planning and decision-making processes. The Plan stresses the important role of neighborhoods and neighborhood groups in land use decisions.

Improve the Responsiveness of City Administration and Staff. Plan policies call for staff training and citizen involvement in evaluating the performance of the City's administrative units.

Goal #5: Create a Sustainable Berkeley.

The Berkeley General Plan is committed to the challenge of creating and maintaining a truly sustainable community—locally, regionally, and globally. A sustainable community is one that meets its existing needs without compromising the ability of future generations to meet their own needs. The General Plan also recognizes that sustainability must be an organizing principle for all Berkeley actions and programs and that we must always consider the interdependent goals of protecting the environment, promoting social equity, and achieving a healthy economy.

Protect the Environment. The Plan is committed to protecting the environment through appropriate environmental management actions and programs as described above in Goal #3, but also through actions and programs such as improvement of the regional and local public transportation system and development of multi-family, affordable housing on transit corridors and near job centers such as the Downtown and the University of California.

Promote Social Equity. The Plan is committed to ensuring that all members of the community benefit from Berkeley's natural setting, high quality of life, economic opportunities, and unique neighborhoods. The Plan's housing, transportation, economic development, and citizen participation objectives and policies are designed to ensure that all economic groups benefit from equal opportunities, services, and participation in government.

Achieve a Healthy Economy. The Plan is committed to ensuring that the Berkeley economy is sustainable, closely linked to the needs of Berkeley citizens, and sensitive to the environment. The Plan includes policies to support local businesses, encourage and when possible require local hiring, improve job placement and retraining services, and support green businesses.

Goal #6: Make Berkeley a disaster-resistant community that can survive, recover from, and thrive after a disaster.

While there are many advantages to Berkeley's physical location, there are also disadvantages. Earthquakes, fires, landslides, floods, and hazardous materials releases are primary hazards confronting the Berkeley community. There is also new recognition of the additional threat from human-caused disasters. The city's healthy environment with its unique character and quality of life based on cultural, social, and economic diversity could be dramatically and enduringly altered by a serious hazard event. Berkeley must protect what we already have as well as what we build through employing sound development practices and building and planning code enforcement, and continuously working to reduce the vulnerability of existing buildings and infrastructure, to improve emergency response, and to prepare for recovery.

Identify and Reduce Vulnerabilities. Berkeley must build on its work that has made it a nationally recognized leader in mitigating risks. Since the community is urbanized and densely populated with an aging building stock, the Plan recognizes the challenge to improve the safety of the built environment and calls for a variety of systematic, ongoing, and incremental actions based on sound analysis of hazardous conditions and economically realistic interventions and incentives.

Improve Emergency Response and Preparation. Because some hazard events such as earthquakes cannot be prevented, the community must be prepared to respond quickly and effectively to such events. The Plan contains policies to ensure that emergency response and recovery plans are comprehensive, current, and coordinated with other agencies and jurisdictions. The Plan also stresses the crucial role the City must play in educating and preparing residential, business, and special needs communities.

Utilize Disaster-Resistant Land Use Planning. Berkeley continues to undergo substantial new development as well as redevelopment and reuse of existing facilities. The Plan highlights the need and the opportunity to ensure that new construction reduces rather than increases risk. Policies call for improving the identification of the locations of hazards through the designation of flood, landslide, or earthquake zones, improving awareness of their presence and consequences, and adopting and enforcing regulations to minimize the exposure to such risks.

Goal #7: Maintain Berkeley's infrastructure, including streets, sidewalks, buildings, and facilities; storm drains and sanitary sewers; and open space, parks, pathways, and recreation facilities.

Maintain City Infrastructure, Parks, and other Public Assets. To preserve both the physical character and livability of the city, the City must adequately maintain its streets, sidewalks, pathways, parks, and sewers. The General Plan contains policies to do so. The Plan also calls for the expansion of open space and recreational resources to meet the needs of all segments of the community.

Implementing the General Plan

The City Council, City boards and commissions, City staff, and others including Berkeley residents and business owners will implement the General Plan. Plan policies will be carried out through the adoption and revision of ordinances and City programs, through annual budgeting and capital improvement programming, through the participation of citizens and neighborhood community groups, and through decisions on development proposals.

The Plan is intended to be a living document that changes with changing local conditions and community priorities. To ensure that the General Plan remains up-to-date and reflective of current City policy, the General Plan will be reviewed annually by the Planning Commission. The Planning Commission will recommend to the City Council any modifications that it considers necessary. The Planning Commission

will also review the General Plan prior to adoption of the biennial (two-year) budget. Through the annual reports on the General Plan, staff will provide a status report on the City's progress toward implementation and any recommended amendments to the Plan. (General Plan amendments will be encouraged in conjunction with this review, although amendments may be considered at other times of the year.) As part of this review, the Planning Commission will also be asked to make recommendations to the City Council on budget priorities for General Plan implementation.

Amending the General Plan

Community needs and priorities change over time in response to changing local, regional, and worldwide conditions. To ensure that the Berkeley General Plan always reflects current community needs and priorities requires that the Plan be amended when necessary to reflect these changes.

The Planning Commission, City staff, City Council, or the general public may initiate amendments to the General Plan. Amendments require submittal of an application to the City and public hearings by the Planning Commission and City Council. General Plan amendments will also be subject to environmental review in accordance with the provisions of the California Environmental Quality Act (CEQA).

Public decisions to recommend or adopt a General Plan amendment must be supported by findings of fact. These findings are the rationale for making a decision either to approve or deny the amendment. While specific findings may be applied on a case-by-case basis, at least the following standard findings should be made for each General Plan amendment:

1. The proposed amendment is in the public interest.
2. The proposed amendment is consistent and compatible with the rest of the General Plan.
3. The potential effects of the proposed amendment have been evaluated and have been determined not to be detrimental to the public health, safety, or welfare.
4. The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

LAND USE ELEMENT



INTRODUCTION

The Land Use Element provides general direction and guidance for the physical development of Berkeley. Element objectives and policies provide guidance for future decisions regarding development applications, zoning regulations, the subdivision and development of land, development fees to pay for necessary public facilities, and improvements to the city's infrastructure. The Land Use Diagram, which is included at the end of the Element, depicts the general distribution, location, and density of land uses in the city based upon the policies of the General Plan and existing land uses. The Diagram does not portray the specific use of each parcel of land. Rather, it shows the planned locations of generalized activities and residential densities. The Zoning Ordinance determines specific regulations governing development of property.

The Land Use Element policies are closely related to the Transportation Element, Urban Design and Preservation Element, and Citizen Participation Element policies. The Land Use and Transportation Elements' policies are coordinated to ensure that new housing and future development occur in areas of the city that are best served by public transportation services. For example, the Land Use policies encourage higher density housing along the transit corridors shown in the Transit Network map in the Transportation Element. The Land Use and Urban Design and Preservation policies are coordinated to ensure that all new development is sensitive to Berkeley's unique physical character and scale, and the Land Use and Citizen Participation Elements' policies are coordinated to ensure that decisions regarding physical development of the city are made with maximum possible citizen participation and involvement.

POLICY BACKGROUND

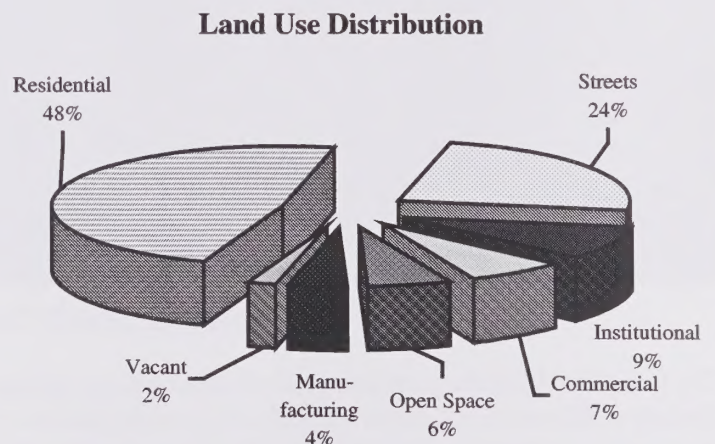
The Character of Berkeley

The first objective of the Land Use Element is to maintain and preserve the character of Berkeley. As stated in the 1977 Master Plan:

Though it is perceived by each person differently, concern over the preservation of the “character of Berkeley” is expressed by all segments of the population. This distinctive character results from Berkeley's unparalleled natural setting, from its myriad of tasteful architectural styles, from the presence of the University of California campus, and from its diversified lifestyles. Yet, Berkeley represents an intricate and delicate balance that is constantly undergoing subtle changes in its physical and social fabric. A continuing need exists to maintain, improve, adapt and, where necessary, replace existing development to meet changing circumstances. The Land Use Element recognizes the interdependence of residential neighborhoods, commercial centers, employment centers and the University of California. Its proposals are intended to insure that future development reinforces, rather than undermines, this mosaic of community values.

Land Use in Berkeley

The basic land use pattern of Berkeley was established by the early 1900s. In West Berkeley, industrial uses developed adjacent to the railroad and San Pablo Avenue. Institutional and commercial activities grew around the University. Residential growth, with its accompanying commercial services and public facilities, occupied the remaining land between the early centers of development. Before World War II Berkeley accommodated new or expanding activities on vacant land. By 1950, remaining parcels were scattered and limited in their potential use by small size, location, topography, and adjacent development. The general distribution of land uses in Berkeley has not changed significantly in the last 40 years.



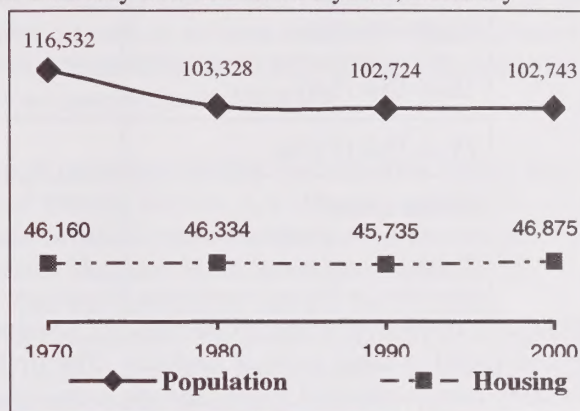
As shown in the figure above, residential uses and streets occupy almost three-quarters of the overall city land area. Institutional uses, such as the University of California, schools, churches, public facilities, and hospitals, occupy approximately 9% of the total land area. The area of land occupied by commercial activity is estimated at approximately 7% of the City's total acreage. Only 2% of the city's land area is vacant and most of that land is located in the area recently purchased by the East Bay Regional Park District for the Eastshore State Park.

Figure 3 at the end of the Land Use Element shows the geographical distribution of land uses in Berkeley. The map is for information purposes only. Figure 4, the Land Use Diagram, shows planned distribution of land uses, as envisioned by this General Plan.

Berkeley's Population, Housing, and Jobs

In addition to having a well-established land use pattern, Berkeley experienced no growth in population or housing supply in the last 30 years. From 1970 to 2000, the citywide population has dropped from 116,532 to approximately 102,743¹ and the number of housing units increased from 46,160 to 46,875.

While housing and population remained fairly constant in Berkeley over the last 30 years, Berkeley experienced a significant increase in the number of jobs. In 1970, Berkeley had about 51,000 total jobs. Estimates for the number of jobs in Berkeley in 2000 vary between 70,000 and 77,000. This figure includes approximately 65,000 wage and salaried jobs and between 5,000 and 10,000 non-wage earning jobs and self-employed residents. The increasing number of jobs and the fairly constant supply of housing results in increased demand for the limited housing and an increase in the number of people commuting into the city on a daily basis.



Since adoption of the 1977 Master Plan, some of the most controversial and difficult land use decisions in Berkeley have been about residential development proposals. Although increasing housing opportunities has been a major policy goal of both the 1955 and 1977 Master Plans, incompatible apartment development during the 1960s led to a downzoning of many neighborhoods and ordinance revisions in 1973 reduced development intensities permitted in multi-family zones.

Demand for existing housing produces high prices, sometimes inadequate maintenance, and housing shortages. (See the Housing Element for a more in-depth discussion of housing in Berkeley.) Over the last 30 years, buying a home became more difficult as home prices rose faster than household incomes in Berkeley. According to the California Association of Realtors, in 1999 only 10% of Berkeley households had the income necessary to purchase a median-priced single-family home in Berkeley.

Although vacant land for new housing development is extremely limited, on the major transportation corridors and avenues and in the Downtown there are a significant number of underutilized parcels that represent opportunities for additional housing or other types of needed development.²

Land Use Element policies are designed to maintain Berkeley's unique physical character, while allowing for additional housing development on underutilized sites within the major transit corridors and Downtown and other changes to land use that are necessary to maintain, improve, adapt, and, where necessary, replace existing development to meet changing community needs and circumstances.

Residential Areas

The second objective of the Land Use Element is to maintain and enhance Berkeley's residential areas. In Berkeley, residential uses occupy approximately 48% of the city's total land area. There is a wide range of housing types in Berkeley, including: single-family homes, apartments, dormitories, live-work units, cooperatives, tenancies-in-common, condominiums, senior housing, high- and low-income rentals, rental

¹ City staff review of the preliminary 2000 Census population figures indicates that the Census may have missed as many as 5,000 student residents on the south side of the University. If correct, the city's 2000 population would be approximately 108,000.

² See the Housing Appendix to this plan.

rooms, and homeless shelters. Single-family homes constitute 45% of all housing in Berkeley, over 55% of the housing units in Berkeley are in multi-family buildings.

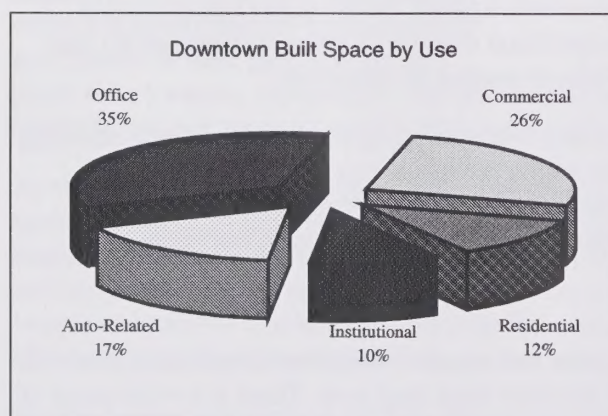
Housing Units by Building Type (2000)		
Type	Units	Percent of Total
Single Detached	19,460	42%
Single Attached	1,294	3%
Multi-Unit (2-4)	9,561	20%
Multi-Unit (5 plus)	16,546	35%
Mobile homes	14	Less than 1%
Total	46,875	100%

Berkeley's residential areas reflect the city's historic development pattern. Century-old Victorian homes are still found in many parts of Berkeley. The first quarter of the 20th Century brought the distinctive Berkeley brown-shingled homes and the extraordinary architecture of Julia Morgan and Bernard Maybeck. In the flatland areas, the need for inexpensive but adequate housing inspired a variety of residential styles, many highly innovative.

The Land Use Element maintains and enhances Berkeley residential neighborhoods by maintaining existing zoning development standards, emphasizing the importance of protections for neighborhoods from non-residential uses, and directing new housing development to the transit corridors and the Downtown.

Downtown and Other Commercial Mixed Use Areas

The third objective of the Land Use Element is to maintain and enhance Berkeley's commercial areas and the Downtown. Commercial activity is primarily distributed between Downtown, West Berkeley, the neighborhood and avenue commercial districts of North Shattuck, Elmwood, Solano, Shattuck/Adeline, and Telegraph Avenue, and the commercial strips along San Pablo and University Avenues.



Downtown Berkeley, generally bounded by Martin Luther King Jr. Way, University Avenue, Berkeley Way, Oxford Street, and Durant Avenue (see Figure 2), is the city's primary civic, office, and entertainment center, as well as a retail area. Office space accounts for 35 percent of the area's built space, commercial space accounts for 26 percent, residential, including hotels, accounts for 12 percent, auto-related and parking uses account for 17 percent, and institutional space occupies 10 percent. The

major open space in the Downtown is the three-acre Martin Luther King Jr. Civic Center Park. Downtown Berkeley has important areas of strength. The Downtown offers about 20 movie screens as well as the strongest live theater in the East Bay, the Berkeley Repertory Theatre. In addition to the arts and other businesses, the Downtown includes many restaurants, excellent transit service, and a customer base of residents, students, and office workers all within walking distance. In 1996, the voters of Berkeley passed Measure S, which provided funds for seismic retrofit of the Civic Center Building, seismic retrofit

and expansion of the Central Library, and additional public improvements in the Downtown and Civic Center area, including pedestrian lighting, street trees, and sidewalk improvements. These public investments in the arts and Downtown infrastructure have helped to re-establish Downtown Berkeley as a vital arts, culture, and retail center.

Downtown is Berkeley's most intensely developed commercial district, with an estimated 9,000 employees in a space of 79 acres. Commercial uses extend north and south along Shattuck Avenue beyond the formally defined Downtown. Downtown, at the geographic heart and transportation hub of the city, should serve as the community's dominant retail center, as well as its civic and entertainment center. As a retail district, Downtown Berkeley is faced with strong competition from automobile-oriented West Berkeley, from student-serving Telegraph Avenue, and from upscale North Shattuck.

In the 1980s and early 1990s, the Downtown experienced an economic decline that included loss of the UC System-wide administration functions, the Educational Testing Service, J. C. Penney, and TRW. However, several efforts initiated during this period helped revitalize the Downtown. The Downtown Business Association, in conjunction with the City-supported National Main Street program, is in the forefront of most recent efforts. In 1990, the Downtown Plan was adopted to address the economic struggle of Berkeley's city center, among other issues. The Downtown Plan established the Downtown as "a compact, economically vital, historic city center with a defined core area and transition zones buffering residential neighborhoods." At the time the Plan was developed, most citizens agreed that retail revitalization was necessary and high-rise office towers were inappropriate. Nevertheless, there was considerable debate regarding building height, and future building height limits were eventually adopted at five stories in the Core area, with an additional two stories permitted with special bonuses. Encouraging housing in the Downtown is a secondary priority of the Downtown Plan. In addition to increasing housing opportunities in Berkeley, Downtown housing is well located in proximity to regional transit systems and encourages new retail uses in the area.

Figure 2 shows the Downtown Plan's subareas. In each subarea the Plan established a "base" height limit, which could be exceeded through a bonus system to a "maximum" height. The Plan provided a bonus for projects that contain, residential, cultural uses or ground floor retail uses.

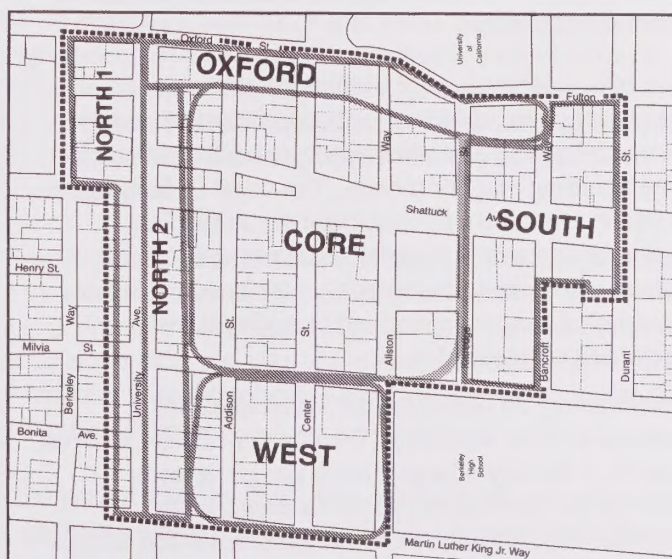


Figure 2. Downtown Subareas

The table below includes the Downtown Plan's height and floor area ratio limits for each subarea.

Downtown Plan Subarea	Base Height, Stories, and FAR	Maximum Height, Stories, FAR
Core	65', 5 stories, 4:1 FAR	87', 7 stories, 6:1 FAR
Oxford Edge	40', 3 stories, 3:1 FAR	60', 5 stories, 4:1 FAR
South	40', 3 stories, 3:1 FAR	60', 5 stories, 4:1 FAR
West	40', 3 stories, 3:1 FAR	50', 4 stories, 3.5:1 FAR
North 2	40', 3 stories, 3:1 FAR	55', 5 stories, 4:1 FAR
North 1	35', 3 stories, (residential) 3:1 FAR	Same as Base
	50', 4 stories, (mixed use) 3:1 FAR	Same as Base

In recent years Berkeley experienced a significant increase in housing developed in the area. As shown in the table below, several residential mixed-use buildings including approximately 548 new units have recently been constructed or substantially renovated in or near the Downtown area.³

Project Address	Type	Units	Bedrooms
1910 Oxford	Rental	56	108
1801 University	Condo	28	28
1849 Shattuck	Condo	24	24
2116 Allston	Rental	91	146
2136 Center	Rental	68	68
2070 University	Rental	48	48
2161 Allston	Rental	60	74
2101 Milvia	Rental	21	24
2100 Channing	UC Student	132	132
2029 Channing	Condo	20	36

The Land Use Element's policies preserve the height limits and FAR limits set by the 1990 Plan but recognize that economic conditions have changed since 1990 and that changes in the Downtown density bonus system are needed. Therefore the Land Use Element eliminates the retail density bonus, refines and narrows the cultural use density bonus, and refines and narrows the housing density bonus. These changes acknowledge the importance of affordable housing in the Downtown and the continuing importance of the arts in Downtown Berkeley.

Berkeley's neighborhood commercial and avenue commercial areas include a large number of specialty stores and services that attract customers from outside the surrounding neighborhoods. The types of businesses that attract customers from outside the immediate neighborhood include popular restaurants, specialty furniture stores, and unique book, music, and specialty food stores which are not found in regional malls or neighboring communities.

Approximately 50 percent of all retail sales are generated in West Berkeley (Weatherford BMW in West Berkeley is the city's largest sales tax generator), 10 percent in the Downtown, and 10 percent in the Telegraph area. Various other neighborhood and avenue commercial districts throughout the city generate the remaining 30 percent.



Commercial quotas have been adopted since 1977, as part of the Zoning Ordinance, to regulate new uses occurring in the Telegraph, Elmwood, North Shattuck, and Solano Avenue commercial zoning districts. In the late 1970s, rising lease rates in some of these districts were beginning to drive out the familiar neighborhood-serving shops and services in favor of a multiplicity of new restaurants and boutique shops. In response, commercial rent control was an early method used by the City to protect merchants. However, when that was overturned by the California courts, the present quota system was enacted to regulate specific categories of use. Quotas for various uses, such as gift/novelty shops, beauty shops, or

³ This list is a sampling. Please refer to the Appendix for an inventory of inclusionary and subsidized housing developments in Berkeley.

certain food services, are now codified through the Zoning Ordinance for several neighborhood and avenue commercial areas. In most cases, these numerical quotas were set at or below the existing number of establishments in any one particular category. The goal was to limit the number of certain types of businesses while allowing a diverse range of other, neighborhood-serving businesses to remain and find space in the districts.

For the neighborhood and avenue commercial corridors shown on the Land Use Diagram, the Land Use Element respects the existing development standards and height limits and provides guidance for future City decision-making to ensure that these areas continue to be vital, thriving, pedestrian-oriented commercial centers that serve area residents and provide necessary goods and services.

Industrial Areas

The fourth objective of the Land Use Element is to maintain and enhance Berkeley's remaining industrial areas. Approximately 24% of all Berkeley jobs are in West Berkeley, where manufacturing and wholesale jobs account for 41% of all jobs, service jobs for 30%, retail jobs for 16%, and other jobs (construction, transport, etc.) for 13%. Industrial activity is located almost exclusively in West Berkeley and occupies approximately 4% of the city's total land area. Located near the center of the region and in close proximity to freeway and rail transportation, Berkeley's industrial districts are attractive for many types of industry. The manufacturing and warehousing category is the third largest economic sector in the city, behind institutional and retail commercial uses.

In 1977, industrial uses occupied virtually all of West Berkeley aside from its residential areas. Since then, industrial activity in the area has decreased substantially, and office and retail uses have occupied a portion of the former industrial area. These changes occurred as part of the national retreat of industry, and especially large-scale industries, from central cities in the 1970s and 1980s. Heavy industries did not necessarily reduce their employment, but rather consolidated their facilities and closed outlying branch plants such as those located in Berkeley. In some cases in West Berkeley, heavy industrial uses were replaced not by non-industrial uses, but by light industrial uses.

This change has had both positive and negative consequences for the City of Berkeley. On the positive side, it has generated increased retail sales tax revenue and, in some cases, increased property tax revenue. Retail districts at Seventh Street/Ashby Avenue and Fourth Street/Hearst Avenue have emerged as two of the most successful districts in Berkeley. On the negative side, the loss of industry resulted in the loss of many high-paying blue-collar jobs accessible to workers without college education. New development, especially retail development, also creates additional traffic.

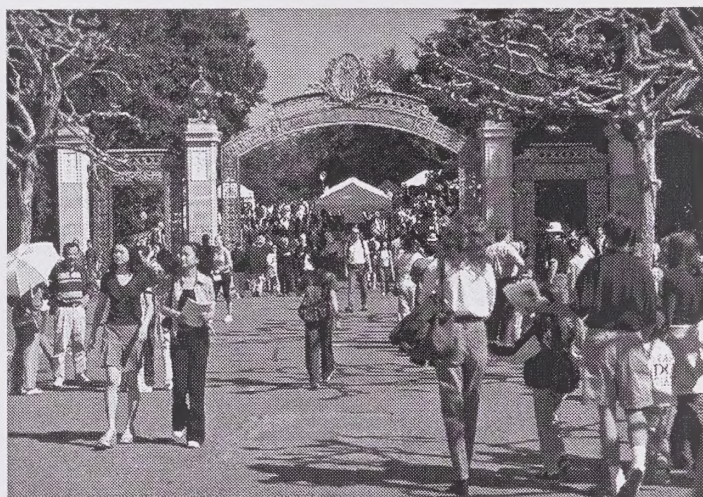
Berkeley added 800 manufacturing jobs during the period 1987 to 1992, due mostly to the growth at the Bayer Corporation in West Berkeley. This 14% increase reversed a 15-year decline in manufacturing jobs in Berkeley and outpaced manufacturing growth in the county as a whole. In 1993, the City Council adopted the West Berkeley Plan. The Plan seeks to balance the revenue gains and the social costs of this change in land use by securing the necessary local conditions to preserve at least some of the city's industrial base, thereby retaining some of the city's diversity of jobs, and, in some cases, some major tax generators. Since 1992, the number of manufacturing jobs in West Berkeley has remained stable and West Berkeley has continued to experience growth in the retail sector, primarily in and around the Fourth Street and Gilman Street commercial areas. During 1999, overall industrial vacancy rates fell 2.1 percentage points, to finish the year at 4.4 percent, the lowest rate recorded in over 10 years. In Emeryville, warehouse and manufacturing space is being converted to flex or pure office space. The continuing loss of true manufacturing and warehouse space in Emeryville is expected to secure a continuing strong demand for manufacturing and warehouse space in Berkeley.

The Land Use Element maintains the City's current industrial and manufacturing land use policies of the 1993 West Berkeley Plan.

University of California

The fifth objective of the Land Use Element is to minimize the negative impacts and maximize the benefits of the University of California on the citizens of Berkeley. Since its earliest days, the University has been a major factor in the physical, social, and economic development of Berkeley. The University provides a wide range of cultural opportunities not available in most cities the size of Berkeley and is a major contributor to the economic health of the city.

During the 2000/2001 school year, the University population included 29,979 students, 11,598 employees, and approximately 1,650 post-doctoral and visiting scholars for a total daytime population of approximately 43,227.



In 1988, the Berkeley community passed Measure N (The Public Agency Accountability Measure) which states that it is City policy that all land use plans, development, and expansion by public agencies should follow City laws and pay taxes and fees, comparable to those paid by private citizens and businesses, to support their fair share of City services. Although the University population contributes significantly to the economic health of the city, the University's tax-exempt status means that Berkeley's largest landholder, employer, and traffic generator does not pay any property tax. It is difficult to measure the cost of the direct services provided by the City such as police and fire service; it is even more difficult to measure the indirect costs such as accommodating high levels of traffic.

In 1997, the City and the University signed a memorandum of understanding which recognized the "desirability of maintaining a cooperative relationship and pursuing collaboratively long range plans, studies, and potential projects of mutual benefit and concern." Pursuant to that memorandum, the City and the University staff worked together to produce a draft Southside Area Plan and a Southside and Downtown Transportation Demand Management Study which seeks to develop common goals for travel behavior.

However, despite these efforts, University-related housing demands, traffic, and public infrastructure and service impacts continue to be difficult for Berkeley to successfully accommodate. For example, in 2000:

- Approximately 17,900 University students lived in Berkeley, yet the University provided beds for only about 10,000 students in Berkeley and Albany.
- Approximately 4,900 professional (non-student) faculty and staff members live in Berkeley, but the University only provided about 100 housing units for faculty and staff.
- The 1990 Long Range Development Plan included plans for 2,350 to 3,410 new beds between 1990 and 2005. Over the last 10 years the University has only been able to add about 173 beds and plans to build another 900 beds with the Underhill development projects.

- Approximately 8,007 of the University's 13,345 faculty and staff drove alone to campus each day.
- Approximately 4,800 students were driving alone to campus each day.

University of California Population by Place of Residence (1998)			
Residence	UC Faculty and Staff		Students
Berkeley	43%		72%
Oakland and Piedmont	15%		10%
Other East Bay	14%		10%
San Francisco	7%		6%
Elsewhere	21%		2%
University Housing Supply (2000)			
Housing Type	Beds		Units
Residence Halls	5,225		
Fraternities/Sororities	1,819		
Cooperatives	1,304		
International House	580		
Family Student Housing			994
Single Student Apartments			132
Faculty Apartments			26
Faculty Condominiums			75
Totals	8,928		1,227
University of California Commute Mode (1994)			
Commute Mode	UC Students (approx. 29,797)	UC Faculty (approx. 1,759)	UC Staff (7,698)
Walk	52%	13%	14%
Bike and Motorcycle	17%	10%	9%
Transit	15%	12%	19%
Auto	16%	65%	58%

The University of California is preparing to revise its 1990 Long Range Development Plan (LRDP). The University's current planning effort, entitled The New Century Plan, will result in a new plan to address seismic improvement of the existing facilities, and expansion of facilities to address an expanding

University student population brought about by the rapid growth of California. Although University expansion is not subject to local land use controls and zoning, the Berkeley General Plan Land Use Element includes policies regarding the University of California presence in Berkeley and future expansion in order to maximize the benefits of the University's presence in Berkeley and minimize the adverse impacts.

The Waterfront

The sixth and final objective of the Land Use Element is to establish the waterfront area west of the freeway as a recreational and open space resource.

The concept of an Eastshore State Park, extending through Oakland, Emeryville, Berkeley, and Albany, was initiated in 1980 with broad support from the three respective cities and numerous conservation organizations. In 1981, the State Parks Commission voted priority status for an Eastshore park, and in 1982, feasibility reports were issued by the State Department of Parks and Recreation as well as the Coastal Conservancy. In 1988, Proposition 70 allocated \$25,000,000 for the acquisition of the park, and in 1989, an additional \$15,000,000 was allocated through the passage of Measure AA. The principal private property owner, Catellus Corporation (formerly Santa Fe Development), had proposed extensive development in all three cities for a total of close to nine million square feet. These proposals were in large part the impetus for the development of the Berkeley Waterfront Plan and Waterfront Specific Plan. In 1986, the City Council adopted the Waterfront Plan and the Waterfront Specific Plan, and the Berkeley community adopted Measure Q, which limits development along the Berkeley waterfront to 565,000 square feet.

The California Department of Parks and Recreation, the East Bay Regional Park District, and the California State Coastal Conservancy are working to develop a plan for the Eastshore State Park that would include approximately 130 acres of Berkeley waterfront. As required by its enabling legislation: "The park shall be a recreational facility harmonious with its natural setting" (Public Resources Code Section 5003.3). The plan should present a clear picture of the future park, which balances the diverse recreational needs of the public with the protection of significant habitat values. The planning process for the State Park began in early 2001 and is expected to be complete by late 2002.

A Marina Plan is currently being prepared by the Waterfront and Parks and Recreation Commissions to identify and prioritize needed improvements for the City-owned Marina area. The remaining privately owned waterfront land, north of a line extending west from Virginia Street and the future Eastshore Park to the Albany border, is currently used for parking and stables for Golden Gate Fields racetrack.

ELEMENT OBJECTIVES

The policies and actions of the Land Use Element are designed to achieve the following six objectives:

1. Maintain and preserve the character of Berkeley.
2. Maintain and enhance Berkeley's residential areas.
3. Maintain and enhance Berkeley's commercial areas and the Downtown.
4. Maintain and protect Berkeley's remaining industrial areas.
5. Minimize the negative impacts and maximize the benefits of the University of California on the citizens of Berkeley.

6. Establish the waterfront area west of the freeway as a recreational and open space resource.

POLICIES AND ACTIONS

THE CHARACTER OF BERKELEY

Policy LU-1 Community Character

Maintain the character of Berkeley as a special, diverse, unique place to live and work.

Policy LU-2 Preservation

Protect Berkeley's character by identifying, restoring, and preserving historic buildings. (*Also see Urban Design and Preservation Policies UD-1 through UD-3.*)

Policy LU-3 Infill Development

Encourage infill development that is architecturally and environmentally sensitive, embodies principles of sustainable planning and construction, and is compatible with neighboring land uses and architectural design and scale. (*Also see Urban Design and Preservation Policies UD-16 through UD-24.*)

Policy LU-4 Discretionary Review

Preserve and enhance the aesthetic, environmental, economic, and social character of Berkeley through careful land use and design review decisions.

Action:

- A. When evaluating development proposals or changes to zoning consider General Plan and Area Plan policies, Zoning and Subdivision Ordinance standards, existing land uses, environmental impacts, safety and seismic concerns, social and economic consequences, and resident, merchant, and property owner concerns.

Policy LU-5 Citizen Involvement

Assure the effective participation of Berkeley citizens and others in land use decisions.

Action:

- A. Continue to evaluate how well City processes and staff serve neighborhood residents in land use matters. (*Also see Citizen Participation Policies CP-1 through CP-11.*)

RESIDENTIAL AREAS

Policy LU-6 Safe and Attractive Neighborhoods

Ensure that all residential areas are safe and attractive places to live. (*Also see Disaster Preparedness and Safety Policies S-13 through S-16.*)

Policy LU-7 Neighborhood Quality of Life

Preserve and protect the quality of life in Berkeley's residential areas through careful land use decisions.

Actions:

- A. Require that new development be consistent with zoning standards and compatible with the scale, historic character, and surrounding uses in the area.

- B. Carefully evaluate and monitor new and existing uses to minimize or eliminate negative impacts on adjacent residential uses.
- C. Carefully review and regulate proposals for additional residential development in the Hill Fire Hazard Area and the tsunami, seismic and landslide hazard areas identified in the Disaster Preparedness and Safety Element. *(Also see Disaster Preparedness and Safety Policies S-14 and S-16.)*
- D. Strengthen Zoning Ordinance language to ensure greater protection of solar access to adjacent properties when new projects or additions are proposed.
- E. Acquire an analysis of the implications of revising R-1, R-1A, R-2, R-2A, MU-R, and C-N zoning to require a Use Permit and public hearings for projects that exceed 28 feet.

Policy LU-8 Home Occupations

Monitor and evaluate the present and future effects of home occupations, home offices, and other similar developments on residential areas.

Policy LU-9 Non-Residential Traffic

Minimize or eliminate traffic impacts on residential areas from institutional and commercial uses through careful land use decisions. *(Also see Transportation Policies T-20 and T-23.)*

Policy LU-10 Parking

Protect residential areas from institutional and commercial parking impacts by encouraging use of alternative modes of transportation and strictly enforcing residential parking permit regulations. *(Also see Transportation Policies T-31 and T-34.)*

Policy LU-11 Pedestrian- and Bicycle-Friendly Neighborhoods

Ensure that neighborhoods are pedestrian- and bicycle-friendly with well-maintained streets, street trees, sidewalks, and pathways.

Action:

- A. Ensure that any City-owned pathways or dedicated easements adjacent to, abutting, or through private property are preserved when reviewing new development proposals. *(Also see Transportation Policies T-43, T-47, and T-52 and Disaster Preparedness and Safety Policy S-22 Action A.)*

Policy LU-12 City Service Impacts

Reduce the impacts of City facilities on residential areas.

Action:

- A. Continue to consider financially feasible opportunities for the eventual relocation of the Corporation Yard.

Policy LU-13 Basic Goods and Services

Ensure that neighborhoods are well served by commercial districts and community services and facilities, such as parks, schools, child-care facilities, and religious institutions.

Actions:

- A. Locate commercial uses and community facilities throughout the city on transit corridors.
- B. Maximize joint City/Unified School District use of and planning for facilities such as recreation, libraries, and cultural centers.
- C. Encourage a range of child-care facilities, including family child-care home, public and private child-care centers, and recreation centers.
- D. Encourage coordinated housing, social, and child-care programs.

Policy LU-14 Community Service Centers

Work with the Berkeley Unified School District and the University of California to establish a network of community centers including school sites, neighborhood resource centers, and City facilities that offer community services such as child care, health care, and recreational programs.

Policy LU-15 Service and Institutional Use Locations

Wherever possible, locate public and private institutional uses and community service centers that serve the city residents or have a regional-service orientation on transit corridors so that they are accessible to public transportation and will not disrupt adjacent residential areas. (*Also see Transportation Policy T-16.*)

DOWNTOWN AND OTHER COMMERCIAL MIXED-USE AREAS**Policy LU-16 Downtown Plan**

Implement the Downtown Plan and take actions to achieve the three goals of the Plan:

- 1. Express and enhance Berkeley's unique social and cultural character in the Downtown.
- 2. Create an appealing and safe Downtown environment, with a comfortable pedestrian orientation.
- 3. Diversify, revitalize, and promote the Downtown economy.

Policy LU-17 Downtown Development Standards

Maintain the physical character of the Downtown.

Actions:

- A. Maintain Downtown Plan maximum height limits, maximum number of stories, and maximum floor area ratios for new construction.
- B. Amend the Downtown Plan and Zoning Ordinance to eliminate the density bonuses given for retail space and amend the Zoning Ordinance to require ground-floor retail uses in mixed-use buildings where deemed appropriate.
- C. Consider amending the Zoning Ordinance to establish a four-story minimum building height in the Core area and two or three stories in the other subareas of the Downtown.
- D. Encourage mixed-use projects that include both office space and housing above appropriate ground-floor uses (retail or arts) to improve the balance between the number of jobs and the number of housing units in the Downtown.

- E. Convene a Planning Commission task force to evaluate the need for and appropriateness of a new downtown hotel and conference center /ecological demonstration/mixed use project, taking into consideration:
1. Market demographics
 2. Traffic and transit conditions
 3. Hiring and employment policies
 4. Public amenities and community accessibility
 5. Urban design
 6. Green building principles
 7. Daylighting Strawberry Creek
 8. Special development standards and mitigations.

Policy LU-18 Downtown Affordable Housing Incentives

Maximize the supply of affordable housing in the Downtown.

Action:

Amend the Downtown Plan and Zoning Ordinance to provide incentives for affordable housing development in the Downtown Plan area. One additional floor above the Downtown Plan base height limit may be provided for projects that meet the Government Code 65915 *et seq.* (State Density Bonus law) thresholds for a density bonus, and up to two additional floors may be provided for residential projects that significantly exceed the State Density Bonus law affordability standards. (*Specific standards, incentive priorities, and thresholds shall be developed in the Zoning Ordinance Amendment.*)

Policy LU-19 Downtown Arts Density Bonus

Increase the supply of suitable space for fine arts and performing arts organizations in the Downtown.

Action:

A. Amend the Downtown zoning to specify that:

1.The “cultural facility” density bonus established by the Downtown Plan shall only be available for projects that dedicate space for fine and performing arts facilities. Fine and performing arts facilities shall be limited to theaters for dance, music, film, plays, or other, similar performing art; galleries or museums for the exhibition of paintings, sculpture, crafts, multi-media, or other, similar art form; schools for fine arts, performance arts, or other, similar discipline; offices for fine art or performing art organizations; or a use determined to be similar in character to the uses described above.

2.Except in the Downtown Core area, to qualify for the arts bonus, at least 50% of the project gross floor area must be devoted to residential uses.

3.The tenant of the dedicated arts space must be a non-profit organization.

4.The arts space must be disabled accessible and regularly programmed for public events.

5.Prior to approval, the proposed “arts” tenant shall be reviewed and recommended by the Civic Arts Commission.

6.An arts facility may include ancillary retail or office space.

(*Specific standards and thresholds shall be developed in the Zoning Ordinance amendment.*)

Policy LU-20 Downtown Pedestrian and Transit Orientation

Reinforce the pedestrian orientation of the Downtown.

Actions:

- A. Continue to explore options for the partial or complete closure of Center Street, Addison Street, or Allston Way to automobiles to promote the pedestrian and commercial vitality and enhance Civic Center Park use and appearance. When exploring options, carefully consider the experiences of other cities where closures have proven to be successful and where closures have proven to be unsuccessful or detrimental.
- B. Continue to explore costs and plans for the daylighting of Strawberry Creek. (*Also see Environmental Management Policy EM-27.*)
- C. Implement capital improvement projects that reinforce the pedestrian, transit, commercial, arts, and entertainment orientation of the Downtown and improve the quality of life for visitors and residents of the area.
- D. Reconstruct the Downtown BART Station and Plaza to be more pedestrian-friendly and visually attractive.
- E. Encourage development of public spaces, plazas, and restoration of natural areas in the Downtown and other areas of the city where appropriate to enhance the pedestrian environment.

Policy LU-21 Architectural Design in the Downtown

Require high-quality architectural design for all Downtown projects. (*Also see Urban Design and Preservation Policies UD-16 through UD-35.*)

Actions:

- A. Ensure that all Downtown area projects conform to the Downtown Plan, the Downtown Berkeley Design Guidelines, and the Urban Design and Preservation Element.
- B. New construction should fit into the context of the existing built environment and complement Downtown's historic character.
- C. Encourage infill development that is compatible with existing uses and improves the pedestrian environment and the streetscape.

Policy LU-22 Civic Center

Maintain the Civic Center as a cohesively designed, well-maintained, and secure place for community activities, cultural and educational uses, and essential civic functions and facilities. (*Also see Urban Design and Preservation Policy UD-38 Action A.*)

Actions:

- A. Old City Hall, the Berkeley Community Theater, Post Office, Civic Center Building, Veterans Memorial Building, and Civic Center Park are listed on the National Register of Historic Places and changes to these buildings, spaces, and nearby buildings, must be reviewed by the Landmarks Preservation Commission.

Policy LU-23 Transit-Oriented Development

Encourage and maintain zoning that allows greater commercial and residential density and reduced residential parking requirements in areas with above-average transit service such as Downtown Berkeley. *(Also see Transportation Policy T-16.)*

Actions:

- A. Consider revisions to the Zoning Ordinance to establish a minimum height limit of two, and where feasible three, stories, and to require or encourage residential development above the ground floor on transit corridors.
- B. Consider amending the Zoning Ordinance to establish a four-story minimum building height in the Core area and two or three stories in the other subareas of the Downtown.

Policy LU-24 Car-Free Housing in the Downtown

Encourage development of transit-oriented, low-cost housing in the Downtown. *(Also see Transportation Policy T-16.)*

Actions:

- A. Consider reducing or eliminating the on-site parking requirements for new Downtown housing units.
- B. Designate the City's Oxford parking lot as the site for a pilot mixed-use development that would waive the Downtown Plan parking requirements for housing on the site.
- C. If parking requirements are reduced, require developers to facilitate the mobility of residents through means such as providing residents with free or discounted transit passes, providing access to car-sharing, and providing bicycle storage facilities.
- D. If parking requirements are reduced, require lease provisions that prohibit car ownership; and prohibit residents from buying RPP permits.
- E. Study the relationship between car-free housing and quantitative reduction in automobile use by residents, and study the effectiveness of various restrictions on car ownership by residents of car-free housing.

Policy LU-25 Affordable Housing Development

Encourage development of affordable housing in the Downtown Plan area, the Southside Plan area, and other transit-oriented locations. *(Also see Housing Policy H-16.)*

Actions:

- A. Consider revisions to the Zoning Ordinance to require and/or encourage inclusion of a greater percentage of affordable housing units and a greater percentage of units restricted to households with low or very low income in multi-family housing projects, than currently required under the Inclusionary Housing Ordinance.
- B. Revise the Zoning Ordinance to clarify and improve administration of the state density bonus for affordable housing for multi-family housing projects that will encourage development of affordable housing and minimize potential impacts of new multi-family housing projects on adjacent residents.

Policy LU-26 Neighborhood Commercial Areas

Maintain and improve Neighborhood Commercial areas, such as Elmwood, Solano, and North Shattuck, as pedestrian-friendly, visually attractive areas and ensure that Neighborhood Commercial areas fully serve neighborhood needs. *(See Land Use Diagram for locations of Neighborhood Commercial areas. Also see Economic Development and Employment Policy ED-4 and Urban Design and Preservation Policy UD-28.)*

Actions:

- A. Require ground-floor commercial uses to be oriented to the street and sidewalks to encourage a vital and appealing pedestrian experience.
- B. Ensure safe, well-lighted, wide walkways that are appropriately shaded for compatibility with upper-story residential units and adequate traffic signals for pedestrian street-crossings in commercial areas.
- C. Provide street trees, bus shelters, and benches for pedestrians in commercial areas.
- D. Provide bicycle facilities and ample and secure bicycle parking wherever appropriate and feasible.
- E. Maintain and encourage a wide range of community and commercial services, including basic goods and services.
- F. Encourage sensitive infill development of vacant or underutilized property that is compatible with existing development patterns.
- G. Control the design and operation of commercial establishments to ensure their compatibility with adjacent residential areas.
- H. Use design review and careful land use decisions to preserve the historic character of Neighborhood Commercial areas.

Policy LU-27 Avenue Commercial Areas

Maintain and improve Avenue Commercial areas, such as University, San Pablo, Telegraph, and South Shattuck, as pedestrian-friendly, visually attractive areas of pedestrian scale and ensure that Avenue areas fully serve neighborhood needs as well as a broader spectrum of needs. *(See Land Use Diagram for locations of Avenue Commercial areas. Also see Economic Development and Employment Policy ED-4 and Urban Design and Preservation Policy UD-28.)*

Actions:

- A. Require ground-floor commercial uses to be oriented to the street and sidewalks to encourage a vital and appealing pedestrian experience.
- B. Ensure safe, well-lighted, wide walkways that are appropriately shaded for compatibility with upper-story residential units and adequate traffic signals for pedestrian street-crossings in commercial areas.
- C. Provide street trees, bus shelters, and benches for pedestrians in commercial areas.
- D. Provide bicycle facilities and ample and secure bicycle parking wherever appropriate and feasible.

- E. Maintain and encourage a wide range of community and commercial services, including basic goods and services.
- F. Encourage sensitive infill development of vacant or underutilized property that is compatible with existing development patterns.
- G. Regulate the design and operation of commercial establishments to assure their compatibility with adjacent residential areas.
- H. Maintain and improve the historic character of Avenue Commercial areas with design review and careful land use decisions.

Policy LU-28 Impact Fees

Ensure that new development adequately mitigates impacts on transportation facilities and services, housing availability and affordability, child-care availability and affordability, or open space resources and facilities.

Actions:

- A. Prepare a nexus study to enable collection of a transportation services impact fee. (*Also see Transportation Policy T-6.*)
- B. Continue to collect appropriate housing impact fees. (*Also see Housing Policy H-2.*)
- C. Continue to collect appropriate child-care impact fees.
- D. Consider preparing a nexus study to enable collection of an open space impact fee and/or in-lieu fee for residential development. (*Also see Open Space and Recreation Policy OS-15.*)

Policy LU-29 University Avenue Strategic Plan

Implement the University Avenue Strategic Plan and take actions to achieve the six goals of the Plan:

1. Increase public safety for residents, merchants, and customers.
2. Revitalize the University Avenue corridor through appropriate economic development and housing.
3. Protect and improve neighborhood quality of life.
4. Encourage more pedestrian-oriented development and an appropriate mix of uses to improve neighborhood identity.
5. Enhance University Avenue as a gateway to the city, a series of neighborhoods, and the Downtown.
6. Coordinate and enhance public transit systems, pedestrian access, and bicycle circulation.

Policy LU-30 South Shattuck Strategic Plan

Implement the South Shattuck Strategic Plan and take action to achieve the four objectives of the Plan:

1. Improve and create commercial and mixed-use development along South Shattuck.
2. Create and enhance the identity of the South Shattuck commercial corridor as a unique and pleasant district that complements adjacent residential neighborhoods.
3. Ensure that residential properties are used and maintained according to appropriate standards.
4. Make traffic improvements which complement economic development and urban design goals, encourage the use of alternatives to the automobile, and preserve the quality of life in residential neighborhoods.

Policy LU-31 South Berkeley Area Plan

Implement the South Berkeley Area Plan and take action to achieve the 55 goals of the Plan.

Policy LU-32 Ashby BART Station

Encourage affordable housing or mixed-use development including housing on the air rights above the Ashby BART station and parking lot west of Adeline Street.

Actions:

- A. Consider a joint City/BART development plan for the Ashby BART site to encourage and ensure appropriate development design, density, and parking to accommodate the BART station and transit-oriented development. Development at the Ashby BART station should include multi-family, transit-oriented housing and ground-floor commercial space. If feasible, at least 50% of the housing units should be affordable to low- and very-low-income households. (*Also see Housing Policy T-18.*)
- B. Consider revising the zoning for the site to reduce the on-site parking requirements for new housing above the BART station. (*Also see Transportation Policy T-16.*)

INDUSTRIAL AREAS

Policy LU-33 West Berkeley Plan

Implement the West Berkeley Plan and take actions that will achieve the three purposes of the Plan:

1. Maintain the full range of land uses and economic activities including residences, manufacturing, services, retailing, and other activities in West Berkeley.
2. Maintain the ethnic and economic diversity of West Berkeley's resident population.
3. Maintain and improve the quality of urban life, environmental quality, public and private service availability, transit and transportation, and aesthetic and physical qualities for West Berkeley residents and workers. (*Also see Economic Development and Employment Policy ED-2.*)

Actions:

- A. Examine the original purposes of live-work, especially with regard to affordability, impact on manufacturing uses, and provisions for artists and craftspeople, and evaluate to what extent such purposes have been met. Examine whether live-work space is actually being used for both living and work as intended. Consider zoning amendments to restrict live-work, enforce live-work requirements, and/or require that live-work units be restricted to households with low or very low income.
- B. Evaluate traffic and parking conditions in West Berkeley and develop new regulations or programs if appropriate to address the problems.
- C. Evaluate transit services and other transportation options in West Berkeley and develop a plan to ensure their adequacy to meet the needs of residents and workers.

Policy LU-34 Industrial Protections

Protect industrial uses in West Berkeley.

Actions:

- A. Inform non-industrial uses that are considering moving into industrial areas that truck traffic, 24-hour operations, and noise up to legal limits are common and accepted in industrial areas. Non-industrial uses are expected to adjust to the practices of industrial operations.
- B. Prohibit further expansion of the Fourth Street commercial area beyond the existing commercially zoned areas. Maintain boundaries of the Mixed Use-Light Industrial District. Enforce prohibitions of retail uses in the Mixed Use-Light Industrial District.

UNIVERSITY OF CALIFORNIA AND INSTITUTIONAL USES

Policy LU-35 Mutually Beneficial Land Use Decisions

Develop and foster close working relationships with the University of California to ensure and facilitate land use decisions that are mutually beneficial to the institution and the adjoining neighborhoods. (*Also see voter-approved Measures L and N.*)

Actions:

- A. Maintain a clear and consistent City position, through Council action and other appropriate means, on University land use and development issues that impact the city.
- B. Share information and policies on similar problems and solutions with other cities with University of California campuses, such as Santa Barbara, Santa Cruz, San Francisco, Los Angeles, and Davis.
- C. Evaluate the present and past effectiveness of Berkeley's City government in dealing with the University on land use matters.
- D. Use all available lawful means to ensure that the University and other public agencies abide by the rules and laws of the City and that these agencies pay taxes and fees, comparable to those paid by private citizens and businesses, to support their fair share of City services. Seek State legislation that would require the University to conform to local land use regulations, policies, and processes.
- E. Discourage additional UC expansion (with the exception of housing) in Berkeley and also discourage the University from removing additional properties from the City's tax rolls.
- F. Seek ways and means, and commit additional resources, to ensure that the University of California at Berkeley complies with voter-approved Measure N.
- G. Work with the University to increase the supply of housing for students, faculty, and staff.

Policy LU-36 University Impacts and Costs

Minimize the negative impacts of the size of the University population and University expansion on adjacent neighborhoods and the city as a whole. (*Also see Urban Design and Preservation Policy UD-10.*)

Actions:

- A. Actively advocate that the University maintain a student enrollment cap of 30,000 pursuant to the 1990 Long Range Development Plan Mitigation Implementation Agreement between the City and the University.
- B. Explore methods by which the University would pay for municipal services “in lieu” of tax payments.

Policy LU-37 University Housing

Encourage the University to maximize the supply of housing for students, faculty, and staff to minimize the impacts of the University on the citywide supply of housing. (*Also see Housing Policies H-35 through H-37.*)

Action:

- A. Support sensitively designed additional housing for students, faculty, and staff within walking distance of campus. New developments should conform with the City height limits and zoning, and be compatible with the surrounding area’s dominant architectural style, and should avoid removal or compromise of on-site or adjacent historic structures.

Policy LU-38 University Impact on City Tax Revenue

Discourage to the maximum extent possible additional use of land by the University that would result in the removal of property from the tax rolls or a reduction of tax revenue to the City.

Actions:

- A. Encourage the University to utilize its current landholdings for housing development.
- B. Oppose University actions that would result in the reduction of tax revenue to the City as the result of University development, leases, or property acquisition.

Policy LU-39 University Traffic

Reduce traffic impacts of the University on the citywide transportation system. (*Also see Transportation Policies T-13, T-34, T-37, and T-38.*)

Action:

- A. Urge the University to raise parking fees for all students, staff, and faculty to market rates and limit off-street parking to faculty, staff, and students based upon the following criteria: a) need for a vehicle on the job; b) number of passengers carried; and c) disability.

Policy LU-40 Public Use of University Facilities and Grounds

Continue to support maximum opportunities for citizen use of University libraries and recreational facilities, the maintenance of the hill lands as open space, and the adoption of campus development standards and policies to conserve and enhance present open space resources.

Policy LU-41 Public Agency Development

Ensure that all land use plans, development, and expansion by public agencies are consistent with City laws, the City's General Plan and Zoning Ordinance to the extent feasible, and the California Environmental Quality Act. *(Also see voter-approved Measures L and N.)*

Policy LU-42 Berkeley Unified School District

Encourage the Berkeley Unified School District to adopt a resolution to make the School District's land use decisions subject to the Berkeley Zoning Ordinance and the Landmarks Preservation Ordinance.

THE WATERFRONT

Policy LU-43 Waterfront Plan

Implement the Waterfront Plan and take actions to achieve the five goals of the Plan:

1. Establish the waterfront as an area primarily for recreational, open space, and environmental uses, with preservation and enhancement of beaches, marshes, and other natural habitats.
2. Develop the waterfront as part of a continuous Eastbay shoreline open space system.
3. Provide for an appropriate amount and type of private development to make the waterfront part of Berkeley's vibrant urban community, attractive to and usable by Berkeleyans, neighboring bay area residents, and other visitors.
4. Establish uses and activities that reflect and enhance the unique character of the waterfront and foster the community's relationship with the shoreline.

(Also see Open Space and Recreation Policies OS-13, OS-15, and OS-16.)

Policy LU-44 Berkeley Marina Plan

Prepare and adopt a plan for the maintenance and improvement of the Berkeley Marina.

(Also see Open Space and Recreation Policy OS-2, Action J.)



LAND USE DIAGRAM AND CLASSIFICATIONS

Figure 3, Existing Land Use, illustrates the geographic distribution of existing land uses in Berkeley. Figure 4, the General Plan Land Use Diagram, generally illustrates proposed distribution and location of land uses in the city as envisioned by the General Plan. The Land Use Diagram does not display existing land uses or existing land ownership, although planned uses are in most cases similar to existing uses. (For official City land use zoning maps, consult the Current Planning Division, Department of Planning and Development.)

The Land Use Diagram includes several land use classifications. The residential, commercial, and industrial classifications are based upon a group of compatible existing zoning districts, which are identified after each classification in the text below. The range of uses and development standards within each classification is based upon ranges allowed within the compatible zoning districts. Due to limitations of the map size, small land uses such as small neighborhood parks⁴ may be too small to depict on the diagram. However, the use may be allowed within the broader classification of uses. For example, small neighborhood parks and schools may not be shown, but they are allowed within the residential land use classifications. Each classification also includes a range of appropriate building intensities and in some cases, population densities. The densities allowed by existing zoning are consistent with the policies of the General Plan. Population densities are determined by multiplying the maximum units per acre by the

⁴The Open Space and Recreation Element includes a comprehensive map of parks and recreational facilities.

city's average household size of 2.2. For residential classifications the units-per-acre building intensity corresponds to the maximum residential densities currently allowed in these districts. In non-residential land use classifications, building intensity is based upon maximum Floor Area Ratios (FARs) currently allowed in the corresponding Zoning Ordinance districts.

General Plan land use classifications are for general planning purposes.⁵ They describe a range of land uses and intensities that reflect different General Plan policies related to the type, location, and intensity of development. Because the General Plan land use classifications describe a range of land uses and development intensities in a relatively large area, they are not intended to be used as standards to determine the maximum allowable density on a specific parcel. Allowable densities and uses in each zoning district are established in the more detailed and specific Zoning Ordinance. It is not the intent of the General Plan to upzone each zoning district to the maximum allowed within the range. The intent is to reflect the range of the existing zoning districts. Therefore, Zoning Ordinance regulations for a particular area may allow a smaller range of uses than allowed by the more general land use classification.

LAND USE CLASSIFICATIONS

Low Density Residential

These areas are generally characterized by single-family homes. Appropriate uses for these areas include: residential, community services, schools, home occupations, recreational uses, and open space and institutional facilities. Building intensity will range from one to 10 dwelling units per net acre⁶, not including secondary units, and the population density will generally not exceed 22 persons per acre.

For information purposes, the compatible zoning districts for this classification are: Single Family Residential (R-1), which allows approximately 9 principal dwelling units/acre⁷ and Environmental Safety-Residential (ES-R), which allows approximately 5 dwelling units per acre. Height limits in these zoning districts are typically 28 feet with provisions to allow up to 35 feet.

Low Medium Density Residential

These areas are generally characterized by single-family homes and small multi-family structures with two or three units. The same uses appropriate in Low Density Residential are appropriate in Low Medium Density Residential areas. Building intensity will range from 10 to 20 dwelling units per net acre, not including secondary units, and the population density will generally range from 22 to 44 persons per acre.

For information purposes, the compatible zoning districts for this classification are: Limited Two-family Residential (R-1A) and Restricted Two-family Residential (R-2), which allow approximately 17 units per acre. Height limits in these zoning districts are typically 28 feet with provisions to allow up to 35 feet.

Medium Density Residential

These areas of Berkeley are generally characterized by a mix of single-family homes and small to medium sized multi-family structures. The same uses appropriate in Low Density Residential are appropriate in Medium Density Residential areas. Building intensity will range from 20 to 40 dwelling units per net acre, and the population density will generally range from 44 to 88 persons per acre.

⁵ The Land Use Element classifications allow the City, the public, and other agencies to determine overall land use pattern and density.

⁶ Net acreage excludes land area dedicated to roads, watercourses, and dedicated rights-of-way.

⁷ State law requires and Berkeley zoning provides for property owners to add one accessory unit under specified conditions and standards described in the R-1 zoning provisions, which may increase density in these areas.

For information purposes, the compatible zoning districts for this classification are: Restricted Multi-family Residential (R-2A), which allows approximately 17 units per acre, and Multiple-family Residential (R-3), which allows approximately 26 units per acre. Height limits in the R-2A zoning district are typically 28 feet with provisions to allow up to 35 feet, and are 35 feet in the R-3 zoning district.

High Density Residential

In Berkeley, these areas are generally characterized by large, multi-family structures conveniently located near transit, the Downtown, the University campus, or BART. Appropriate uses for these areas include: residential, community service, schools, institutional, recreational uses, open space, and in some cases where allowed by zoning, ground-floor commercial and office. Building intensity will range from 40 to 100 dwelling units per net acre, and the population density will generally range from 88 to 220 persons per net acre.

For information purposes, the compatible zoning districts for this classification are: Multi-Family Residential (R-4), which allows building heights of 35 feet with provisions to allow buildings up to 65 feet, and High Density Residential (R-5), which allows building heights of 40 feet with provisions to allow buildings up to 65 feet.

Neighborhood Commercial

These areas of the city are generally characterized by pedestrian-oriented, neighborhood-serving commercial development, and multi-family residential structures. These areas are typically located on two-lane streets with on-street parking and transit. Appropriate uses for these areas include: local-serving commercial, residential, office, community service, and institutional. Building intensity will generally range from a Floor Area Ratio (FAR) of less than 1 to an FAR of 3. Population density will generally range from 44 to 88 persons per acre.

For information purposes, the compatible zoning districts for this classification are shown below with accompanying development standards.

<u>Zoning District</u>	<u>Maximum FAR</u>	<u>Maximum Height</u>
Neighborhood Commercial (C-N):	3	35 ft
Elmwood Commercial (C-E):	0.8 to 1	28 ft
North Shattuck Commercial (C-NS):	1 (non-res.)	35 ft
Solano Avenue Commercial (C-SO):	2	28 ft
South Area Commercial (C-SA) ⁸ :	4	24-36 ft

Avenue Commercial

These areas of Berkeley are characterized by pedestrian-oriented commercial development and multi-family residential structures. These areas are typically located on wide, multi-lane avenues served by transit or BART. Appropriate uses for these areas include: local-serving and regional-serving commercial, residential, office, community service, and institutional. Building intensity will generally range from a Floor Area Ratio (FAR) of less than 1 to an FAR of 4. Population density will generally range from 44 to 88 persons per acre.

For information purposes, the compatible zoning districts for this classification are shown below with accompanying development standards.

⁸ Height limits in the C-SA zone vary depending on location. Portions of the C-SA zone are included in both the Neighborhood Commercial and Avenue Commercial General Plan designations.

<u>Zoning District</u>	<u>Maximum FAR</u>	<u>Maximum Height</u>
South Area Commercial (C-SA):	4	24-60 ft
General Commercial (C-1): ⁹	3	35-50 ft
Telegraph Avenue Commercial (C-T) :	3-3.5	50 ft
West Berkeley Commercial (C-W) ¹⁰ :	3	40-50 ft

Downtown

This area of Berkeley is identified as the Downtown in the Downtown Plan and is characterized by high density commercial, office, arts, culture, and entertainment and residential development. The Downtown classification is intended to encourage, promote, and enhance development that will increase the residential population in the Downtown, provide new high density, transit-oriented housing opportunities, and support a vital city center. Uses appropriate for this area include: medium- and high-density housing, regional- and local-serving arts, entertainment, retail, office, cultural, open space, civic uses, and institutional uses and facilities. It is General Plan policy to increase the residential population in the Downtown. Building intensity will generally range from a Floor Area Ratio (FAR) of less than 1 to an FAR of 6. Population density will generally range from 88 to 220 persons per net acre.

For information purposes, the compatible Zoning Districts for this classification are: Central Commercial (C-2) and General Commercial (C-1). See pages LU-5 and LU-6 of the Land Use Element above for a description of development standards in the Downtown area.

Institutional

These are areas of Berkeley for institutional, government, educational, recreational, open space, natural habitat, woodlands, and public service uses and facilities, such as the University of California, BART, Berkeley Unified School District, and East Bay Municipal Utility District facilities. It is General Plan policy that public agencies comply with General Plan policies and local zoning standards. Within these areas, building intensity will generally range from a Floor Area Ratio (FAR) of less than 1 to an FAR of 4.

Manufacturing

These areas are intended to maintain and preserve areas of Berkeley for manufacturing and industrial uses necessary for a multi-faceted economy and job growth. Appropriate uses for these areas are identified in the *West Berkeley Plan*. Within these areas, building intensity will generally range from a Floor Area Ratio (FAR) of less than 1 to an FAR of 2.

For information purposes, the compatible zoning districts for this classification are: Manufacturing (M), Mixed Manufacturing (MM), and Mixed Use-Light Industrial (MU-LI), which all allow a maximum FAR of 2 and a maximum building height of 45 feet.

Mixed Use-Residential

These areas are intended to maintain and preserve areas of the city for lighter manufacturing and industrial uses and allow for additional uses, including residential, where determined appropriate by zoning, and only if the use will not weaken Berkeley's manufacturing and industrial economy. Appropriate uses for these areas are identified in the *West Berkeley Plan*. Within these areas, building

⁹ Please see the University Avenue Strategic Plan for a description and location of development nodes on University Avenue in the C-1 Zoning District.

¹⁰ Please see the West Berkeley Plan for a description and location of development nodes on San Pablo Avenue in the C-W Zoning District.

intensity will generally range from a Floor Area Ratio (FAR) of less than 1 to an FAR of 1.5. Population density will generally range from 22 to 44 persons per acre, where housing is allowed.

For information purposes, the compatible zoning district for this classification is Mixed Use-Residential (MU-R), which allows a maximum FAR of 1 to 1.5 and a maximum building height of 28 to 35 feet.

Waterfront/Marina

These areas are intended to maintain and preserve areas of Berkeley adjacent to the Bay for open space, recreational uses, waterfront-related commercial and visitor services, boating, and water transit facilities. Appropriate uses for these areas are identified in the Waterfront Plan. Building intensity will generally range from a Floor Area Ratio (FAR) of 0 to 0.5, as established by the Waterfront Plan and Measure Q.

Open Space and Recreation

These areas of the city are appropriate for parks, open space, pathways, recreational facilities, natural habitat, and woodlands. Appropriate uses for these areas include parks, recreational facilities, schoolyards, community services, and facilities necessary for the maintenance of the areas.

Old Santa Fe Right-of-Way

The Land Use Diagram shows the approximate location of the Santa Fe Right-of-Way (ROW). The ROW is shown for information purposes only and is not intended to serve as a land use classification. Some portions of the ROW are occupied by park uses, others by residential uses, and others are vacant. Open Space and Recreation Policy OS-6 addresses the planning process necessary for the remaining vacant portions of the ROW.

Southside Study Area

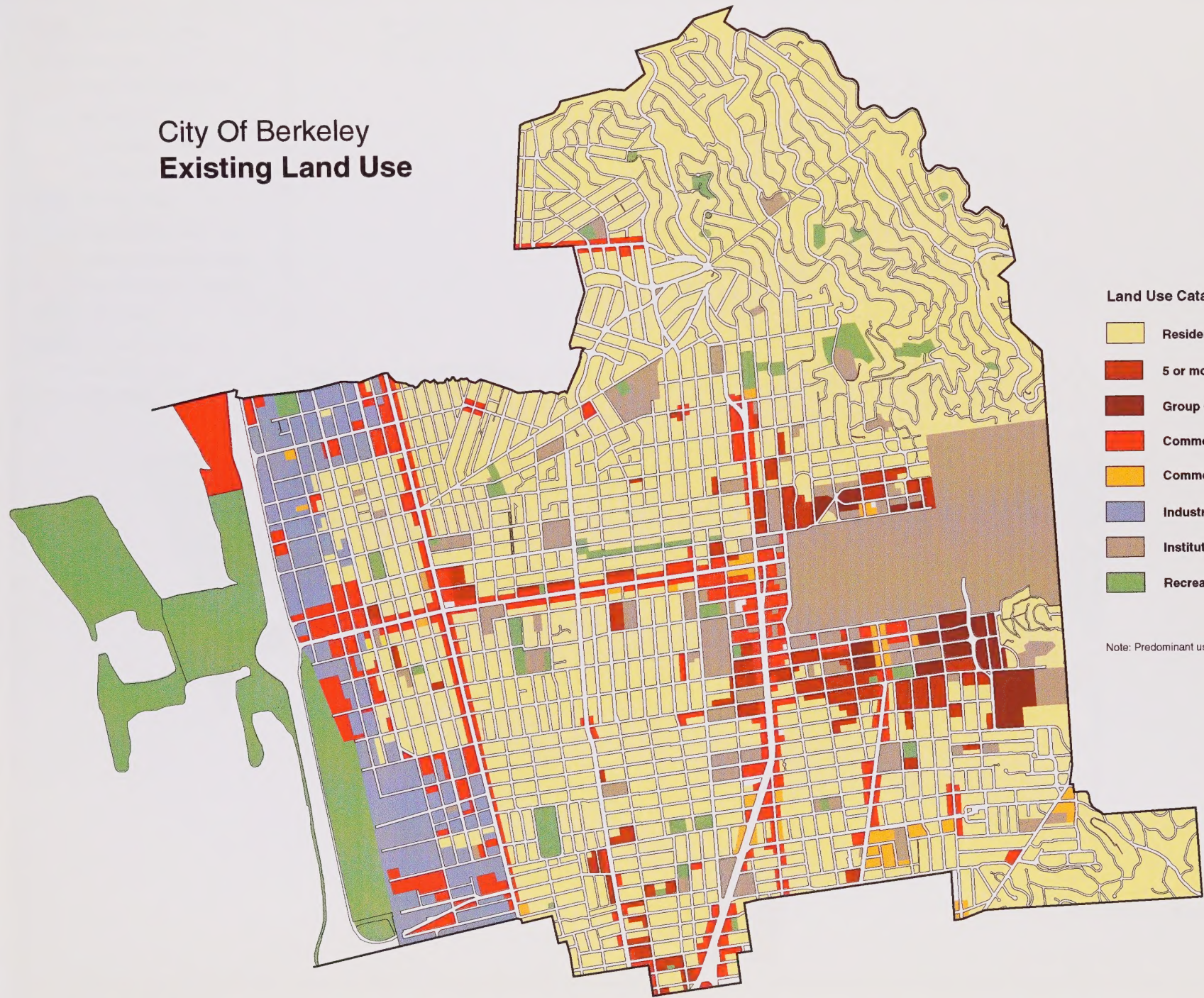
The Land Use Diagram shows the approximate location of the Southside Plan Study Area that is currently the subject of a community planning effort. The Study Area is shown for information purposes only and is not intended to serve as a land use classification. Once completed the Southside Plan will be adopted as an amendment to the General Plan. The amendment is anticipated to result in changes to some of the General Plan land use designations within the Study Area. The General Plan Land Use Diagram will be modified accordingly at that time.

University Avenue and West Berkeley Nodes

Both the West Berkeley Plan and the University Avenue Strategic Plan established specific “nodes” along University Avenue and San Pablo Avenue in which specific regulatory policies and programs would be applied as an overlay to accomplish area plan goals for revitalization in these specific locations.

See the Berkeley Zoning Ordinance, the West Berkeley Plan, and the University Avenue Strategic Plan for more detail.

City Of Berkeley Existing Land Use



Land Use Categories

-  Residential Units
-  5 or more Residential Units
-  Group Quarters
-  Commercial
-  Commercial / Mixed Use
-  Industrial
-  Institutional
-  Recreational

Note: Predominant use by block unless otherwise indicated.

Figure 4: General Plan Land Use Diagram

- Avenue Commercial
- Downtown
- High Density Residential
- Institutional
- Low Density Residential
- Low Medium Density Residential
- Manufacturing
- Manufacturing Mixed Use
- Medium Density Residential
- Neighborhood Commercial
- Open Space
- Waterfront/ Marina
- Southside Study
- Old Santa Fe Right of Way

○ Development Nodes
of West Berkeley and
University Avenue Plans



This map is for
illustrative purposes only

TRANSPORTATION ELEMENT

INTRODUCTION

The Transportation Element establishes policies for the movement of people, goods, and vehicles through the city.

The Transportation Element and Land Use Element are closely related by land use policies that direct new development to areas of the city already well served by public transportation services and land use policies emphasizing the importance of transit-oriented design in new development. The Transportation Element emphasizes the importance of making more efficient use of the existing transportation systems that serve these areas. The relationship between the two Elements is also evident in the correlation of the Land Use Diagram and the Transportation Element maps, which identify the major vehicular, transit, bicycle, and emergency evacuation routes through the city. The Vehicular Circulation Network map, Transit Network map, Bicycle Circulation Network map, and Emergency Access and Evacuation Network map are included at the end of this Element.



The following plans and studies inform the Transportation Element:

- Downtown Plan, West Berkeley Plan, South Berkeley Plan, South Shattuck Strategic Plan, and University Avenue Strategic Plan.
- Berkeley Resource Conservation and Global Warming Abatement Plan (1998).
- Berkeley Bicycle Plan (2000).
- Berkeley Bicycle and Pedestrian Safety Task Force Recommendations (2000).
- Southside/Downtown Transportation Demand Management (TDM) Study (2001).

POLICY BACKGROUND

A detailed description of transportation conditions in Berkeley is included in *Conditions, Trends and Issues: A Background Report for Updating the City's General Plan* (1993). The major transportation issues addressed in the Transportation Element are summarized below.

Traffic and Congestion

Since 1977, traffic volumes and traffic congestion have generally continued to increase in Berkeley and in the larger region. Between 1990 and 2020, the vehicle miles of travel on Bay Area roads is expected to

grow by 59 million miles per day, an increase of 55%. Interstate 80 through Berkeley, Ashby Avenue, University Avenue, College Avenue, and San Pablo Avenue continue to experience significant congestion during the commute hours.

The table below includes a sample of 24-hour traffic volumes on major streets in Berkeley.¹ As shown in the table, traffic volumes have generally been increasing. On some of the most congested streets (i.e., College Avenue, lower University Avenue, and the Warring/Derby corridor) the high level of congestion, and City efforts to increase safety through addition of stop signs or new signals, resulted in an actual reduction in volumes of traffic.

Sample 24-Hour Traffic Volumes				
Sample Street Segment	1977 24-Hour Volume	1987 24- Hour Volume	2000 24-Hour Volume	Percent Change 1977 to 2000
San Pablo (Ashby to Dwight)	23,400	24,000	29,500	+26%
University (Sacramento to California)	29,000	36,200	32,400	+12%
Shattuck (Dwight to Adeline)	30,000	33,500	36,400	+21%
Shattuck (south of Ward)	20,000	19,000	22,300	+12%
Ashby (Shattuck to Telegraph)	22,500	30,500	24,700	+10%
Warring (Derby to Dwight)	21,500	25,000	20,500	-5%
College (Ashby to Derby)	15,200	14,200	13,000	-14%
Bancroft (Piedmont to College)	6,000	6,700	5,100	-15%
Adeline (south of Ashby)	15,000	15,000	18,100	+21%
Telegraph (Ashby to Oakland City Line)	23,000	24,600	28,200	+23%
Telegraph (north of Ashby)	26,600	26,000	19,900	-25%
I-80 University to Ashby	178,000	241,000	232,000	+30%

The increase in traffic volumes and congestion in Berkeley may be attributed to several factors:

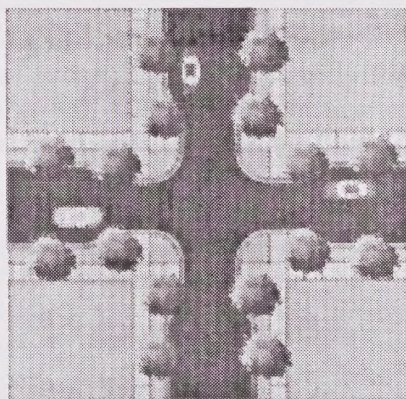
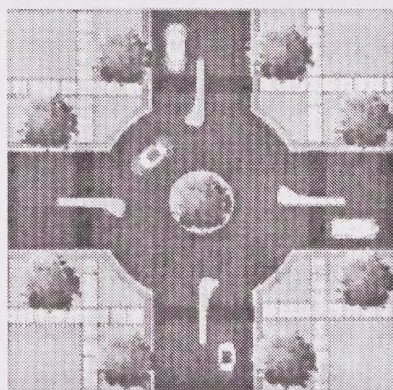
1. Growth in the local and regional economy has resulted in additional jobs and commuter trips into Berkeley each day. With increasing housing prices regionwide and in Berkeley in particular and a limited supply of housing affordable to low- and middle-income workers, the growing Berkeley workforce is increasingly forced to look for housing outside of Berkeley. Between 1980 and 2000, the number of jobs in Berkeley increased by about 18,600 and the number of housing units only increased by about 541.
2. Growth in the retail sector, both locally and in neighboring jurisdictions, has resulted in additional non-commute trips.
3. The typical Berkeley household owns more cars. Between 1970 and 1990, the population decreased by over 13,000 in Berkeley, but the number of cars owned by Berkeley residents increased by 10,000, which may indicate that each household in Berkeley is making more daily non-commute trips.
4. Lack of adequate public funding for transit resulted in service reductions in the 1990s, which discouraged transit use.
5. Federal and State policies to subsidize the cost of gasoline, road construction, and maintenance encourage automobile ownership and use.

¹ 24-hour traffic counts may vary from day to day depending on weather and other factors. These numbers should be used to determine an "order of magnitude" and not an exact number of vehicles on any particular day.

6. Lack of a strong regional planning effort to address regional congestion has resulted in a piecemeal and sometimes contradictory strategy for improving the regional transportation system.

Traffic Management, Traffic Calming, and Congestion

Increased volume and congestion result in increased neighborhood traffic and neighborhood requests for traffic management and traffic calming devices. Berkeley has over 30 years of experience in neighborhood traffic management and calming. During this time, traffic management improvements have included traffic signal timing and coordination, bicycle and automobile activated signals (about 25% of all signals are activated), rush-hour on-street parking restrictions, addition of left-hand-turn signals, and other improvements to improve the flow of traffic. To calm the flow of traffic in neighborhood areas, the City has used diverters, speed humps, and signage. Although many of these efforts have successfully reduced traffic on certain residential streets, the City's diverter system has also resulted in higher volumes on some arterial streets and some residential streets. Similarly, citizen complaints about the effects of speed humps on the disabled and concerns about emergency vehicle access resulted in a 1995 moratorium on the installation of additional speed humps.



Traffic circles and bulb-outs have been used successfully in Berkeley neighborhoods to calm traffic without diverting traffic onto neighboring streets.

Recent citywide traffic counts illustrate the relationship between traffic calming and congestion in Berkeley. In response to neighborhood concerns about high traffic volumes and high speeds on the Derby-Warring corridor, the City added several stop signs and directional signs directing motorists to Telegraph Avenue. As a result of the changes, traffic has slowed, and congestion on the corridor has increased, but the numbers of vehicles on the corridor have decreased as drivers search for alternatives to avoid the congestion. On University Avenue, the City added left-turn signals to facilitate turning at Sixth Street and improve safety at the intersection. The changes immediately improved safety at the intersection, which improved access to Sixth Street, but also resulted in a dramatic increase in congestion on University Avenue. A review of the citywide traffic counts shows that over the last ten years, despite the congestion, traffic volumes on University Avenue have actually lessened, and as might be expected, traffic volumes on Hearst Avenue (parallel to University Avenue) have increased as drivers look for alternatives to the congested University Avenue.

In conclusion, it may be stated that in general the city's vehicular network of major and collector streets (see Figure 10) is very close to volume capacity. Any action that encourages more people to drive will result in more congestion. Any action that discourages use of one major or collector street by diversion or slowing of traffic is likely to increase congestion and traffic volumes on other, nearby streets. In addition to inconvenience, congestion contributes to the deterioration of air quality in the Bay Area and an increase in health problems. Increasing traffic volumes and worsening congestion in Berkeley and the Bay Area have contributed to increasing air quality problems throughout the region. In 1998, the

Environmental Protection Agency revoked the Bay Area's clean air designation.

Although the additional congestion caused by modifications to city streets in an effort to slow or calm traffic is often an uncomfortable side effect, many traffic and transit experts argue that increased congestion is one of the most common reasons drivers choose to shift from the automobile to other transportation modes. (In addition to congestion, the availability of low-cost parking and availability of public transportation alternatives also influence commute decisions. Both of these issues are addressed below.) As congestion increases, the amount of time and money that is needed to drive increases. As the costs and time spent driving increase, these factors begin to become comparable to public transportation. However, for public transportation to be an effective alternative, changes such as "transit-only" lanes become necessary to ensure that public buses or trolleys are not caught in the automobile congestion.

Parking

With the growth of the economy, both locally and regionally, and the increase in traffic volumes, parking continues to be an issue in Berkeley. In the Downtown area, some parking garages are filled to capacity at times during weekday hours, due to the large number of all-day monthly parkers and institutional users of Downtown parking. In 1999, the City raised all-day parking fees in the City's Downtown garages and lots to further discourage all-day parking. The effect of rising long-term parking fees was immediate. Private garages followed the City's lead and instituted comparable daily-rate increases. As a result, Downtown garages are no longer filled to capacity on a daily basis. Future efforts to increase the cost of monthly parking passes closer to the cost of daily parking would further decrease the use of public parking by long-term parkers and increase the supply for shoppers and visitors.

In the Southside area and in neighborhood and avenue shopping areas, public parking and on-street parking are sometimes filled to near capacity. These near capacity conditions continue to generate problems for adjacent neighborhood areas, which experience on-street parking shortages due to the overflow from nearby commercial areas. The University of California is a major generator of parking demand and provides a significant number of off-street parking spaces on and around the campus. Much of the University parking is restricted to University staff, faculty, and students and below-market-rate pricing has fostered a high demand among the University parking users for the limited number of spaces. The overflow parking problem in the neighborhoods surrounding the Downtown and the Southside is exacerbated by sometimes inadequate enforcement of the residential permit parking system, inappropriate issuance of permanent and temporary parking permits, and all-day parkers who are willing to move their automobiles every two hours or feed meters all day.

Pedestrians, Bicyclists, and Safety

Compared to other cities in the county and in the state, Berkeley has a very high number of residents who walk to work. According to the 1990 Census, more Berkeley residents walked to work (17%) than took transit (15%). The highest walk-to-work rates are found in the neighborhoods immediately adjacent to the University and Downtown between Cedar to the north, Ashby to the south, and Martin Luther King Jr. Way to the west. In the Southside, over 50% of the employed residents reported that they walked to work in 1990. The percentage of Berkeley residents who walked to work was about four times the percentage of walking commuters for the county as a whole (4%). These walking trips have a significant effect on the city's street system. If Berkeley's rate of walking to work were as low as the county average, as many as 12,500 automobile trips per day would be added to Berkeley traffic. In addition to commute trips, many Berkeley citizens walk for pleasure and for non-work-related trips. In a 1989 survey of Berkeley residents, 70% said that they sometimes walked to a store to shop or run errands. In recent years, the City of Berkeley has continued to make positive improvements to the street network to facilitate pedestrian

travel, such as the widening of the Center Street sidewalk between BART and the University of California campus.

As envisioned in the 1977 Master Plan, bicycles continue to be an important mode of transportation in Berkeley. In 1990, about 5% of employed Berkeley residents commuted by bicycle, a high percentage for an urban area. The City has installed additional public bicycle racks in recent years and designated a network of bicycle boulevards, which are identified on the Bicycle Circulation Network map. In April 2000, the City Council adopted the Berkeley Bicycle Plan and Bicycle Boulevard Design Tools and Guidelines. The Bicycle Plan is incorporated by reference into the General Plan and the Bicycle Plan's goals are included below in the policy section of this chapter. The Bike Plan's network of bikeways is shown on the Bicycle Circulation Network map at the end of the Element.

Despite efforts to improve pedestrian and bicycle safety, Berkeley has more than two times the rate of pedestrian, and more than four times the rate of bicyclist injury than other cities. In comparison to 44 cities of a similar size in California, Berkeley ranks number one in both pedestrian and bicycle injury and death. This disparity is partly explained by the fact that Berkeley has higher rates of walking and bicycling than other cities in the state. Moreover, Berkeley is home to a large disabled community, which faces the same dangers as pedestrians and bicyclists as they attempt to negotiate crowded streets throughout the city.

The following table identifies the 15 most dangerous intersections in the city for bicyclists and pedestrians:

Intersection	Number of Accidents
Shattuck at University	29
Durant at Telegraph	15
Ashby at Sacramento; Oxford at University; and Gilman at San Pablo (tied)	13 each
Allston at Shattuck; Ashby at MLK; San Pablo at University; and Bancroft at Bowditch (tied)	12 each
Ashby at San Pablo; Bancroft at Dana; College at Russell; Hearst at Oxford; Milvia at University; and MLK at University (tied)	11 each

Public Transportation

Since 1977 public transportation services have increased throughout the city. With the cooperation of AC Transit, every residence in Berkeley is within one-quarter mile of a transit line. In 1993, based on the transit service measure of "seat miles per capita" Berkeley had nearly double the transit service of the average metropolitan area in the United States, placing the city in the top 10 metropolitan areas

nationwide. As of 1999 about 1,200 buses passed through the Downtown on a daily basis, and all of AC Transit's 18 local bus lines connect with a BART station.

Although Berkeley remains one of the top 25 cities in the country in percentage of commuters using public transportation, public transportation remains the "least preferred" mode of transportation for many Berkeley residents. During the 10 years between 1980 and 1990, the citywide population remained stable, but bus ridership declined from 17% to

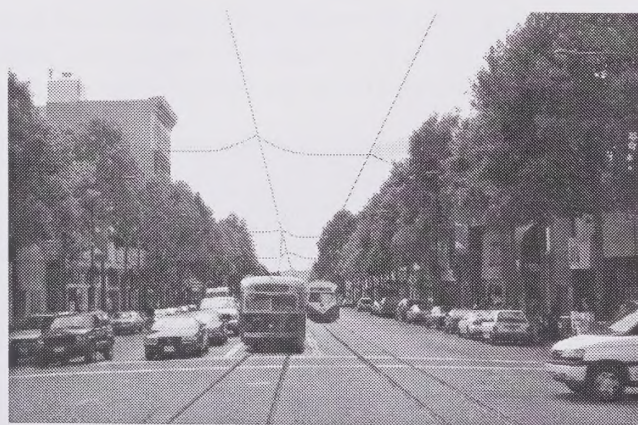


7% for Berkeley resident commuters, and BART ridership increased only slightly, from 3% to 8%. During this same period, the number of Berkeley residents who reported that they took public transportation dropped by 1,500 to approximately 15% of the population, and the residents who reported that they drove alone to work increased approximately 3,700 to a total of 24,742 (approximately 25% of the population). Although ridership numbers in Berkeley for AC Transit since 1990 are not available, data from BART turnstiles in Berkeley show that between 1990 and 1999 ridership increased about 4%.

Public transit remains the only mode available for many Berkeley residents. AC Transit estimates that approximately 76% of its riders did not have the option of using an automobile for their trips. Of the 2,000,000 Bay Area residents who rely on non-automobile modes of transportation, most are seniors, children, low-income, or disabled. Historically, urban transit systems such as AC Transit and San Francisco Muni have been underfunded relative to the suburb-serving systems such as BART. BART receives a far higher public subsidy (\$3.00 per passenger) than AC Transit (\$0.65 per passenger).

Since 1990, regional agencies, transportation agencies, city governments, public institutions, AC Transit, and BART have been making improvements to the public transportation system to increase ridership and reduce traffic congestion in the Bay Area. AC Transit and cities in the region have been working on improvements to the system to make it a more attractive alternative for more Bay Area residents. The San Pablo Avenue corridor, extending from Richmond in the north to Oakland in the south, is the focus of several transit improvement projects, including the Signal Interconnect Study, Transit Operations Study, and the Bus Rapid Transit Technical Assistance Program. The San Pablo Avenue Signal Interconnect Study will coordinate all traffic signals along San Pablo Avenue, giving priority to buses and emergency vehicles. The San Pablo Avenue Operations Study is examining improvements to transit services and facilities to offer faster bus service along the corridor. The Federal Transportation Administration has chosen the San Pablo Avenue corridor as an important route for the development of a Bus Rapid Transit (BRT) project by offering technical assistance to AC Transit and the cities along the corridor. The BRT program combines planning and technological devices to allow buses to operate with the speed, reliability, and efficiency of light rail vehicles at only a fraction of the cost. AC Transit also conducted a Major Investment Study to consider options for improving transit on the Telegraph Avenue corridor between Berkeley and San Leandro with shuttles or light rail.

The following photomontage illustrates how a light rail or dedicated transit lane on transit corridors such as University Avenue, San Pablo, or Telegraph Avenue could significantly increase transit ridership.



In 1999, AC Transit and UC Berkeley began the Class Pass Pilot Program that allows full-time, registered UC Berkeley students unlimited rides on both local and transbay routes by adding a mandatory transit fee

to their academic registration fee. AC Transit and UC Berkeley believe that this program gives students incentives to use the bus more often as an alternative to driving. For the spring 2000 semester, 17,000 students acquired class passes.

In Silicon Valley, the Santa Clara Valley Transportation Authority established the "Eco-Pass" program in 1996, which is similar to the "Class Pass." The program allows a company of any size in the Santa Clara Valley Transportation Authority service area to purchase transit passes for its employees at a deep discount; passes allow employees to ride transit for free. At some companies, transit ridership has doubled. Similar programs exist in other parts of the country, including Dallas, Texas, and Boulder, Colorado.

All Bay Area employers are eligible for "Commuter Checks," which are coupons that can be used to purchase Bay Area transit passes, or pay for fares on registered vanpools/bus pools. The program is a pre-tax payroll deduction program that allows employers to provide transit vouchers to employees as a tax-free benefit. It can work as an employer-paid benefit or as a deduction from the employee's existing salary. The program can cut the cost of transit tickets and vouchers by 40%. In a recent survey of Bay Area commuters, only 19% indicated that they had heard of the Commuter Check program.

Locally, the University of California, Alta Bates Hospital, and the West Berkeley Transportation Management Agency/Bayer Corporation operate regular shuttle services. The City and the University of California provide funds for Berkeley TRIP, which is a storefront in Downtown that provides ridesharing, carpooling, vanpool, and public transportation information and/or tickets.

The City funds several transportation services and provides some funding for public improvements to make public transportation a more attractive option. The City provides vans and other services to senior citizens, the homeless (Social Service Transport), and the disabled (Paratransit Program). The City provides a transit subsidy (\$20) that can be used to discount the cost of monthly BART and AC Transit tickets for some but not all of the City's employees. (The program is included in the contract negotiations for each union group.)

In recent years the City has been working with local transit providers to fund maintenance of bus shelters throughout the city and make improvements to the Berkeley Amtrak Station. Since 1993 Amtrak has eliminated the Berkeley stop from the San Joaquin line due to low ridership counts. However, passenger counts on the Capitol Corridor line have been increasing. The existing rail stop at the foot of University Avenue is substandard. Amtrak has informed the City that the stop must be upgraded to provide an acceptable level of service to persons traveling to and from Berkeley by rail. Needed improvements include a new transit plaza, adjacent bus stops, seating, lighting, public art, and street trees. The stop also requires a full platform upgrade. The platform needs to be raised, widened, and lengthened to meet minimum standards.

Streets and Sidewalks

The citywide system of streets and sidewalks is the essential infrastructure that allows people, bicycles, buses, trucks, emergency vehicles, and automobiles to move around the city. Without a well-maintained system of streets and sidewalks, the Berkeley community will be unable to meet many if not all of its transportation objectives over the next 20 years.

The Berkeley street system is comprised of 221 miles, 206 miles of which are improved with asphalt, and seven miles of which are constructed of poured concrete. In periods of limited budgets and/or perceived needs of higher priority, street maintenance is typically the first element of a street program to be cut, thus

Since 1985, Berkeley has employed a Pavement Management System (PMS) program, designed by the Metropolitan Transportation Commission (MTC) to help prioritize asphalt street repair. The PMS method reverses typical maintenance priorities in order to extend performance life and prevent accelerated deterioration, thus obtaining the most value from budgeted resources. The program is designed to maximize the number of streets maintained in “excellent” to “fair” condition, and to allow sections already in “poor” or “failing” condition to continue to deteriorate prior to reconstruction. The emphasis of PMS is on preventing the street sections from reaching the “poor” condition, because sections classified as “poor” or “failed” require reconstruction, which is very expensive and is the least cost-effective use of available funds. Berkeley's 5 Year Capital Improvement Program allocates over \$13 million over the 5-year period for street improvements from 2001 to 2006. Figure 5 shows the streets planned for repaving over the next 5 years (2001 through 2006).



There are approximately 300 miles of concrete sidewalks in Berkeley. City staff estimates that approximately 95 miles of the city's sidewalks are currently in need of repair or replacement. At a cost of \$6.00 per square foot, to complete the repairs would require approximately \$18 million. The adopted 2000/05 Capital Improvement Program allocates approximately \$3.4 million over five years to the repair and replacement of sidewalks and pathways.

Presently, there are two types of sidewalk repair conducted by the City: emergency repair and a long-term “spiral” repair. Emergency repairs are initiated both by citizen complaint and by routine City Engineering inspection. The degree of repair is either a temporary safety measure consisting of concrete removal and/or the placement of an asphalt overlay, or permanent concrete repair, depending on the particular circumstances of the damaged walk and the available resources. The “spiral” repair program provides for

permanent repair and is designed for systematic maintenance in which the segmented phases of work are defined, beginning from the Civic Center area and spiraling outward toward the city limits.

Northeast and Southeast Berkeley have unique networks of pedestrian pathways. These pathways provide pedestrian access in the hill areas between streets, quiet resting places, panoramic viewpoints, and a critical evacuation alternative to the often narrow and winding streets in the hills. There are approximately 135 paths. Figure 6 shows the approximate location and general extent of the city's pathway networks. The Department of Public Works maintains a detailed database of public pathways and publicly dedicated rights-of-way.

Figure 6: Pathway Network in Northeast and Southeast Berkeley



Prepared by the City of Berkeley Planning Dept.
for illustrative purposes only, updated 8/02
Source: Berkeley Path Wanderers Association, 2002

Element Objectives

The policies and actions of the Transportation Element are intended to achieve the following six objectives:

1. Maintain and improve public transportation services throughout the city.
2. Reduce automobile use and vehicle miles traveled in Berkeley, and the related impacts, by providing and advocating for transportation alternatives and subsidies that facilitate voluntary decisions to drive less.
3. Improve the quality of life in Berkeley neighborhoods by calming and slowing traffic on all residential streets.
4. Maintain and improve the existing infrastructure and facilities for the movement of people, goods, and vehicles within and through the city.
5. Improve the management of public parking to better serve the needs of residents, businesses, and visitors.
6. Create a model bicycle- and pedestrian-friendly city where bicycling and walking are safe, attractive, easy, and convenient forms of transportation and recreation for people of all ages and abilities.

POLICIES AND ACTIONS

PUBLIC TRANSPORTATION

Policy T-1 Regional Transit Policy

Advocate for regional coordinated transit services and regional transportation policy to reduce automobile use and increased funding for public and alternative transportation improvements.

Action:

- A. Vigorously pursue regional, statewide, and national policies that encourage greater transit use by providing funding to improve transit services, to subsidize lower fares and free (or nominal-cost), seamless transfers among transit systems, and to provide AC Transit with an increased, more stable operating budget.

Policy T-2 Public Transportation Improvements

Encourage regional and local efforts to maintain and enhance public transportation services and seek additional regional funding for public and alternative transportation improvements. (*Also see Economic Development and Employment Policy ED-6.*)

Actions:

- A. Work with AC Transit to:
 1. Expand service and reduce waiting time and transfer times for people who have to use more than one bus to get to their destination.
 2. Increase east-west cross-town service.

3. Add transit-only or transit/HOV-only lanes where appropriate on any streets or portions of streets that are part of the city's transit network.
4. Implement improvements to make transit more convenient, dependable, and attractive, such as benches at bus stops, transit shelters, transit centers, information kiosks, and signs.
5. Upgrade the City's traffic signal system to provide transit-priority operation.
6. Continue to replace older diesel buses with quieter, less polluting vehicles.
7. Establish an AC Transit/BART/UC/LBNL/City/BUSD transit coordinating council to improve transit service in the Southside and Downtown areas.

B. Work with BART to:

1. Maintain and expand the frequency and hours of BART service through Berkeley.
2. Continue its efforts to provide electric charging stations and electric vehicles at BART stations.
3. Provide 24-hour service in support of Downtown cultural and residential uses and provide direct connections to San Francisco in evening hours.

C. Promote and market public transportation by:

1. Improving access to information about public transportation alternatives and schedules.
2. Pursuing joint marketing campaigns with transit agencies and event sponsors promoting alternative ways to get to city districts and events.

D. Improve shuttle and transit services by:

1. Increasing shuttle and transit services from Rockridge and the Rockridge BART station to Downtown BART and the campus.
2. Increasing shuttle services between neighborhood commercial areas and between BART stations and employment centers, such as West Berkeley.
3. Promoting express shuttle services to complement local transit service and ensure that Berkeley residents and commuters have information about shuttle services readily available.
4. Testing the feasibility of a low-cost shuttle or "jitney" service for Berkeley residents.
5. Encouraging transportation providers to coordinate and consolidate the installation of new jointly used shelters.
6. Encouraging expansion of transit, rail service, and inter-modal connections in West Berkeley.
7. Developing a mass transit validation program in Berkeley commercial districts similar to a parking validation program.

Policy T-3 Eco-Pass City Program

Increase transit use and reduce automobile traffic and congestion in Berkeley by creating an Eco-Pass program.

Action:

- A. Work with AC Transit, BART, neighboring jurisdictions, major employers, and neighboring transit districts to establish an "Eco-Pass" program for Berkeley employers that would allow pass holders free unlimited rides on AC Transit and/or BART. Once the program is established:**
1. Provide Eco-Passes for all City employees.
 2. Establish participation in the Eco-Pass program as a condition of approval for all new businesses with over 50 employees.
 3. Encourage existing area employers, particularly major employers such as UC Berkeley, Berkeley Unified School District, Lawrence Berkeley National Laboratory, and Alta Bates Medical Center, to join the program.

4. Contact all employers with 50 or more employees to encourage their participation in Eco-Pass.
5. Work with the participating transit agencies to offer a neighborhood Eco-Pass, which would allow neighborhoods to participate in the program, similar to the Boulder, Colorado, Neighborhood Pass.
6. Consider creation of a Citywide Transit Pass for Berkeley residents financed by a tax that would allow pass holders free unlimited rides on AC Transit and/or BART.
7. As an interim measure, contact and encourage area employers to participate in the existing Commuter Check program. Maintain or increase existing transit subsidies for City employees and encourage other employers to maintain and increase existing transit subsidies.

Policy T-4 Transit-First Policy

Give priority to alternative transportation and transit over single-occupant vehicles on Transit Routes identified on the Transit Network map (Figure 7, page T-31).

Action:

- A. In residential areas, restrict fixed-route transit services to Primary and Secondary Transit Routes shown on the Transit Network map.

Policy T-5 Light Rail/Bus Rapid Transit

Support regional efforts to develop light rail or bus rapid transit service connecting East Bay cities.

Actions:

- A. Locate light rail or bus rapid transit systems on the primary transit corridors identified on the Transit Network map.
- B. Consider bus rapid transit, with bus priority signals and bus priority lanes on transit corridors, as an interim and low-cost alternative to a new light rail system.
- C. Aggressively pursue regional funding sources with AC Transit and neighboring cities for a light rail or bus rapid transit system.
- D. Continue to work with AC Transit and regional transportation agencies to evaluate potential major public investment strategies and alternatives to improve transit services for Berkeley citizens, including light rail and bus rapid transit.
- E. Work with local merchants to build support for a light rail system and bus rapid transit and minimize potential impacts to businesses from construction and loss of parking.
- F. Investigate a low-cost open trolley service along major pedestrian and shopping corridors such as University, Shattuck, and Telegraph as an interim or permanent solution similar to the Santa Barbara waterfront trolley system.
- G. Support AC Transit's Major Investment Study with its recommendations to achieve long-term rail on Telegraph Avenue. Advocate for extension of the recommendations to the foot of University Avenue and connection with service enhancements on San Pablo Avenue.

Policy T-6 Transportation Services Fee

Ensure that new development does not impact existing transportation services and facilities. (*Also see Land Use Policy LU-28.*)

Action:

- A. Prepare a nexus study (pursuant to Government Code Section 66000 et seq.) to enable imposition and collection of a Transportation Impact Fee for new development projects.

Policy T-7 Special Transit Programs

Continue to maintain and improve access and mobility for the disabled, seniors, and youth with programs such as paratransit, the taxi voucher program, and senior vans.

Actions:

- A. Work with paratransit service providers to better meet the needs of the disabled community, including: accommodating scooters and all types of wheelchairs, improving response time, expanding hours of service, and requiring drivers to take sensitivity training to better assist disabled riders.
- B. Work cooperatively in the development of a comprehensive County program.

Policy T-8 Amtrak

Encourage additional Amtrak service to Berkeley and pursue platform and vicinity improvements to make the train stop more attractive and safe.

Actions:

- A. Continue to pursue future opportunities to establish a staffed train station in Berkeley.
- B. Consider joint use possibilities for a new station and possible reuse of the former China Station restaurant as a passenger station.
- C. Consider designating some of the available parking spaces as all-day parking spaces dedicated to Amtrak users.
- D. Pursue joint marketing strategies with Amtrak, 4th Street, West Berkeley, and Marina merchants to advertise and promote train access to West Berkeley.
- E. Expand express transit/shuttle connections to Amtrak stations and connections from Amtrak to the BART stations.
- F. Advocate for continued Capitol Corridor services and timely service to San Jose.
- G. Advocate for East Bay participation with planning and the use of the Trans-Bay Terminal, maintaining a high-speed rail connection to the Trans-Bay Terminal, across San Francisco Bay Bridge to Southern California.

Policy T-9 Ferry Service

Continue to evaluate the possibility of working with the City of Albany, the racetrack owners, regional transportation agencies, and AC Transit to establish a ferry terminal and regular San Francisco ferry

service from Berkeley at the foot of Gilman Street or at the foot of University Avenue as an alternative to the Bay Bridge and as an essential recovery element following a significant seismic event.

Actions:

- A. Ensure transit, shuttle, and bicycle connections are in place before beginning ferry service to minimize parking demand and traffic caused by people driving to the ferry service.
- B. Prioritize transit, pedestrian, and bicycle public expenditures over expenditures of public funds for ferry service, and ensure that new ferry service will not result in a reduction in public subsidies for existing transit services.
- C. Ensure that ferry services are less environmentally detrimental than the automobile. Advocate for low-emission, environmentally sensitive ferries.

AUTOMOBILE USE REDUCTION

Policy T-10 Trip Reduction

To reduce automobile traffic and congestion and increase transit use and alternative modes in Berkeley, support, and when appropriate require, programs to encourage Berkeley citizens and commuters to reduce automobile trips, such as:

1. Participation in a citywide Eco-Pass Program (*also see Transportation Policy T-3*).
2. Participation in the Commuter Check Program.
3. Carpooling and provision of carpool parking and other necessary facilities.
4. Telecommuting programs.
5. "Free bicycle" programs and electric bicycle programs.
6. "Car-sharing" programs.
7. Use of pedal-cab, bicycle delivery services, and other delivery services.
8. Programs to encourage neighborhood-level initiatives to reduce traffic by encouraging residents to combine trips, carpool, telecommute, reduce the number of cars owned, shop locally, and use alternative modes.
9. Programs to reward Berkeley citizens and neighborhoods that can document reduced car use.
10. Limitations on the supply of long-term commuter parking and elimination of subsidies for commuter parking.
11. No-fare shopper shuttles connecting all shopping districts throughout the city.

Policy T-11 City of Berkeley

Establish the City of Berkeley as a "Model Employer" in the area of trip and emission reduction. (*Also see Environmental Management Policies EM-18 through EM-22.*)

Actions:

In addition to establishing a Berkeley Eco-Pass program (*see Transportation Policy T-3*):

- A. Eliminate free or low-cost parking provisions from employee individual and union contracts.
- B. Establish employee automobile use reduction goals. To meet these goals, consider: in addition to Eco-Pass, expanding the fleet bicycle program, providing a vacation day bonus for bicycle or transit use, and establishing flex hours and telecommuting programs.

- C. Publicize the Guaranteed Ride Home Program for carpoolers and parents who use alternative transportation.
- D. Locate City worksites near major public transportation facilities to the extent feasible.
- E. Provide express shuttle service during peak hours between transit hubs and outlying worksites.
- F. Purchase only energy efficient gasoline powered, "hybrid," and biodiesel and other alternative-fuel City vehicles.
- G. Encourage development of compressed natural gas and other alternative-fuel stations.
- H. Use market pricing mechanisms to discourage all-day parking in City garages.
- I. Add transit information and information about Eco-Pass (once established) and Commuter Check to all business license application related mailings.
- J. Provide secure bicycle parking at all major City worksites.

Policy T-12 Education and Enforcement

Support, and when possible require, education and enforcement programs to encourage carpooling and alternatives to single-occupant automobile use, reduce speeding, and increase pedestrian, bicyclist, and automobile safety.

Actions:

- A. Consider developing a program that rewards households, block groups, or neighborhood organizations that can document their reduction in automobile use. Consider discounts on electric bicycles to reward automobile use reduction.
- B. Encourage hotels, motels, and other visitor destinations to provide visitors with information on public transportation and bicycle services and facilities.

Policy T-13 Major Public Institutions

Work with other agencies and institutions, such as the University of California, the Berkeley Unified School District, Lawrence Berkeley Laboratory, Vista Community College, the Alameda County Court, and neighboring cities to promote Eco-Pass and to pursue other efforts to reduce automobile trips. (*Also see Land Use Policy LU-39.*)

Actions:

- A. Encourage other agencies and institutions to match or exceed the City of Berkeley's trip reduction and emission reduction programs for their employees.
- B. Encourage other agencies, institutions, and cities to use market-pricing mechanisms to reduce automotive use and discourage all-day parking.
- C. Encourage the University of California:
 1. To maintain and improve its facilities and programs that support and encourage pedestrians, bicyclists, and transit riders.
 2. To provide bicycle facilities, "all hour" bicycle paths, and timely pavement maintenance.

3. To locate non-student-serving offices and additional staff and student housing at or near BART stations outside Berkeley.
- D. Encourage the Berkeley Unified School District to establish programs and facilities to reduce automobile use among staff, faculty, and students, including:
 1. Training in safe and competent bicycle use.
 2. Providing safe and convenient bicycle facilities.
 3. Working with parents to establish carpools, "bicycle to school groups," and "bus to school groups."
 4. Create programs that offer incentives to use public transportation such as Eco-Pass.
- E. Obtain "Safe Routes to School" grants and other funds for programs to make it safer for students to travel to school.
- F. Continue limiting the number of residential parking permits given to BUSD faculty and staff.
- G. Assist the University of California and the Berkeley Unified School District in developing satellite parking lots with shuttle service for students and staff.
- H. Encourage the University of California, the Berkeley Unified School District, and other major institutions to cap parking at current levels while seeking to reduce automobile use.
- I. Encourage institutions to create incentives for their employees and students to live locally.
- J. Encourage all public and private institutions, including schools, health clubs, recreation centers and other community destinations to organize carpools and shuttles.

Policy T-14 Private Employers

Encourage private employers to reduce the demand for automobile travel through transportation demand management programs that include elements such as:

1. Trip reduction incentives such as Commuter Check and Eco-Pass.
2. Flexible work hours and telecommuting to reduce peak-hour commute congestion.
3. Carpool and vanpool incentives to reduce single-occupancy vehicle use.
4. Provision of mass transit pass/credit instead of free employee parking (parking "cash-out" programs).
5. Providing bicycle facilities.
6. Market pricing mechanisms for employee parking to reduce automotive use and discourage all-day parking.
7. Local hiring policies.
8. Numerical goals for trip reduction.

Policy T-15 Local Hiring

Establish Berkeley residency as a preference for hiring, and encourage other public employers, institutions, and private employers to hire locally. (*Also see Economic Development and Employment Policy ED-1.*)

Policy T-16 Access by Proximity

Improve access by increasing proximity of residents to services, goods, and employment centers. (*Also see Land Use Policies LU-13 and LU-23, Housing Policy H-16, and Environmental Management Policy EM-41 Action B.*)

Actions:

- A. Locate essential commercial and other services in transit-oriented locations to reduce the need for cars and enable people living near transit and services to reduce auto trips.
- B. Encourage higher density housing and commercial infill development that is consistent with General Plan and zoning standards in areas adjacent to existing public transportation services.
- C. Encourage the University of California to provide additional housing within walking distance of campus to reduce University-related traffic.
- D. Encourage siting of child-care facilities and other services in large residential or commercial facilities to reduce traffic impacts associated with child-care drop-off and pick-up.
- E. In locations served by transit, consider reduction or elimination of parking requirements for residential development.

Policy T-17 Transportation Planning

Involve local residents, businesses and institutions in all stages of transportation planning. (*Also see Citizen Participation Policies CP-1 through CP-5 and CP-8 through CP-10.*)

Policy T-18 Level of Service

When considering transportation impacts under the California Environmental Quality Act, the City shall consider how a plan or project affects all modes of transportation, including transit riders, bicyclists, pedestrians, and motorists, to determine the transportation impacts of a plan or project. Significant beneficial pedestrian, bicycle, or transit impacts, or significant beneficial impacts on air quality, noise, visual quality, or safety in residential areas, may offset or mitigate a significant adverse impact on vehicle Level of Service (LOS) to a level of insignificance. The number of transit riders, pedestrians, and bicyclists potentially affected will be considered when evaluating a degradation of LOS for motorists.

Action:

- A. Establish new multi-modal levels of service (LOS) City standards that consider all modes of transportation, including transit, bicycles, and pedestrians in addition to automobiles.

Policy T-19 Air Quality Impacts

Continue to encourage innovative technologies and programs such as clean-fuel, electric, and low-emission cars that reduce the air quality impacts of the automobile. (*Also see Environmental Management Policies EM-18 through EM-22.*)

Actions:

- A. Establish bicycle and low-emission vehicle preferred parking areas.
- B. Install electric vehicle charging stations in all City-owned parking facilities downtown and at major parking facilities and employment centers.
- C. Where appropriate, install timed signals on major streets to allow traffic to move at a steady 25 miles an hour on major and collector streets, and a steady 15 or 20 miles an hour on neighborhood streets to minimize air quality impacts from "stop and go" traffic.

NEIGHBORHOOD TRAFFIC CALMING

Policy T-20 Neighborhood Protection and Traffic Calming

Take actions to prevent traffic and parking generated by residential, commercial, industrial or institutional activities from being detrimental to residential areas. (*Also see Land Use Policies LU-9, LU- 10, and LU-11.*)

Actions:

- A. Continue to support and actively move forward neighborhood strategies to slow and “calm” traffic.
- B. Endorse strategies to reduce shortcutting and speeding and minimize the use of neighborhood streets by through traffic.
- C. Endorse traffic calming strategies that primarily slow traffic.
- D. Discourage strategies that divert traffic from one residential street to another residential street.
- E. Require that strategies provide for the movement of emergency vehicles to and through the neighborhoods and recognize the needs of the disabled, pedestrians, transit riders, and bicyclists.
- F. Make use of street modifications, including sidewalk bulb-outs, and appropriate traffic calming measures to slow traffic on neighborhood streets to 15 or 20 miles per hour and limit 24-hour volumes to less than 1500 cars per day.
- G. Support and encourage neighborhood traffic watch associations to work with local enforcement to report and prosecute traffic violations in neighborhood areas.
- H. Establish a Residential Traffic Calming Program that includes objective criteria for evaluating neighborhood traffic problems such as traffic volume, pedestrian and bicycle accident rates, and vehicle speeds, especially in areas where children and seniors are concentrated. Include processes to ensure neighborhood participation in the development and evaluation of potential traffic calming solutions.
- I. Implement strategies that slow and calm traffic on residential streets including both local streets and residential segments of collector and major streets.
- J. Develop engineering, education, and enforcement strategies to discourage speeding on local, collector and major streets. Prioritize speed limit enforcement on local streets and on residential segments of collector and major streets.
- K. Evaluate effectiveness of enforcement efforts to prevent speeding and consider increasing the number of traffic enforcement officers if necessary to reduce and control speeding.
- L. Establish levels of service standards for residential areas on collector and major streets.
- M. In residential areas, restrict the use of large buses to Primary and Secondary Routes shown on the Transit Network map, whenever feasible.

Policy T-21 Speed Limits

Pursue changes to State regulations to allow cities to enforce a 15- or 20-mile-per-hour residential speed limit.

Policy T-22 Traffic Circles and Roundabouts

Encourage the use of landscaped traffic circles to calm traffic in residential areas.

Action:

- A. Consider roundabouts as a viable traffic-calming device, especially at the Shattuck and Adeline intersection, the Gilman Street Freeway on and off ramps, and at other appropriate intersections in the city.

Policy T-23 Truck Routes and Truck Traffic

To the greatest extent possible, protect residential streets from hazardous or heavy traffic.

Actions:

- A. Revise and maintain signed truck routes throughout the city to facilitate movement of goods and materials and minimize the impact of trucks in residential areas. Restrict tank vehicles with potentially hazardous materials in residential and other areas such as the Hazardous Fire Area.
- B. Post signs to indicate location of truck routes; and on residential streets where truck traffic is a problem, indicate that through truck traffic is prohibited. Prohibit through truck traffic on streets that are not designated truck routes.
- C. Provide a City phone number with voice mail on which citizens can report license numbers and names of trucking companies that violate truck route regulations.
- D. Consider requiring as part of the City review process for major projects that a construction truck route plan be approved by the City and followed by all contractors and subcontractors.

Policy T-24 Ashby Avenue

Take actions necessary to reduce congestion, improve pedestrian and bicycle crossings, and improve the quality of life for residents on Ashby Avenue.

Action:

- A. Ensure safe pedestrian crossing of Ashby Avenue along its entire route, but particularly to City facilities such as schools, senior citizen centers, and libraries.

INFRASTRUCTURE AND FACILITY IMPROVEMENTS

Policy T-25 Street Maintenance

Maintain streets, sidewalks, and other public infrastructure to reduce long-term replacement costs.

Actions:

- A. Maintain a citywide resurfacing schedule that will ensure that street maintenance and repair occur in a timely manner and reduce the need to conduct more expensive street reconstruction.
- B. Coordinate pedestrian and transit public improvements with street repairs and repaving.

- C. Ensure that street repairs and repaving are completed without negatively affecting the disabled or bicyclists (e.g., ensure that all repaving and patching provides a smooth surface for bicyclists and wheelchairs).
- D. Continue to give priority to streets designated as Bikeways for road maintenance and repair.
- E. Coordinate the work of agencies such as EBMUD and others to minimize the digging up of City streets.

Policy T- 26 City Streets

Do not widen local, collector, or major streets unless necessary to allow passage of emergency vehicles, or remove parking from residential streets for the purpose of expanding automobile traffic lanes. (*Also see Disaster Preparedness and Safety Policy S-22.*)

Policy T-27 Freeway Expansion

Oppose additional freeway construction in Berkeley, either on new routes or through the expansion of existing facilities.

Policy T-28 Emergency Access

Provide for emergency access to all parts of the city and safe evacuation routes. (*Also see Disaster Preparedness and Safety Policy S-22.*)

Actions:

- A. Do not install new full diverters or speed humps on streets identified on the Emergency Access and Evacuation Network map unless it is determined by the Fire and Police Departments that the installation will not significantly reduce emergency access or evacuation speeds. The Fire Department should be able to access all Berkeley locations within four minutes (see Disaster Preparedness and Safety Element). All other proposed traffic calming devices or obstructions to the free flow of traffic on these streets should be reviewed by the Fire and Police Departments to ensure that the proposed change will not significantly increase emergency response times or hinder effective evacuation of adjacent neighborhoods.
- B. Maintain and improve pedestrian pathways throughout the city that are dedicated for public use and provide an alternative to the streets in case of an emergency evacuation.
- C. Maintain and make available to the public up-to-date maps of all emergency access and evacuation routes.
- D. Where necessary, consider parking restrictions to ensure adequate access for emergency vehicle access and evacuation in hill area neighborhoods with narrow streets.
- E. Prioritize evacuation routes for undergrounding of overhead utilities.

Policy T-29 Infrastructure Improvements

Facilitate mobility and the flow of traffic on major and collector streets (shown on the Vehicular Circulation Network map at the end of the Element), reduce the air quality impacts of congestion, improve pedestrian and bicycle access, and speed public transportation throughout the city by making improvements to the existing physical infrastructure.

Actions:

- A. Provide timely pavement maintenance and eliminate hazards on bicycle routes.
- B. Designate or add transit-priority lanes or transit-only lanes.
- C. Add or eliminate left turn lanes.
- D. Establish commute period parking restrictions.
- E. Regularly maintain pavement.
- F. Improve freeway approaches and interchanges at Ashby Avenue (including removal of Potter Street ramp) and Gilman Street (to improve pedestrian and bicycle circulation to the waterfront and facilitate truck access to West Berkeley).
- G. Complete the San Pablo Avenue Corridor Plan improvements designed in cooperation with the surrounding cities.
- H. Time traffic signals on major transit corridors to give priority to and speed movement of transit vehicles.

Policy T-30 Traffic Signals

Continue to pursue better signal devices and systems to facilitate movement on Berkeley's limited road network. Consider:

- 1. Signals that provide separate phases for through (straight) traffic, pedestrians and cyclists, and turning traffic.
- 2. Bus-activated signals.
- 3. All-way stop signals that allow the free flow of pedestrians through the intersection.
- 4. "Smart" signals to calm traffic and improve intersection safety.
- 5. Timed traffic signals to give priority to and speed movement of transit and emergency vehicles.
- 6. Pedestrian /bicycle-activated signals that allow bikes and pedestrians to cross busy streets.

PARKING

Policy T-31 Residential Parking

Regulate use of on-street parking in residential areas to minimize parking impacts on neighborhoods.

(Also see *Land Use Policy LU-10.*)

Actions:

- A. Improve enforcement of the Residential Preferential Parking Program.
- B. Restrict Residential Parking Permits to residents of the district and further limit the number of guest passes that can be issued to a single address.
- C. Correct abuses of 14-day and 1-day Residential Preferential Parking visitor permits.
- D. Do not issue parking permits to residents of new car-free housing developments or to residents of projects which have been granted variances to reduce required off-street parking.

- E. Discourage use of on-street parking for long-term storage of cars.
- F. Enforce regulations against parking on lawns and sidewalks.
- G. Ensure provision of adequate off-street parking for new projects in low-density residential areas.
- H. Add information on transit alternatives on parking tickets.
- I. Allow the expansion of RPP areas if it is found that additional residential streets are being used for employee and other commercial parking or vehicle storage.
- J. Revise the RPP program to further restrict the number of permits issued to institutional users and set clear standards for issuance of RPP permits to institutions that include requirements for on-site transportation demand management programs and transportation alternatives.

Policy T-32 Shared Parking

Encourage Berkeley businesses and institutions to establish shared parking agreements, which would make the most efficient use of existing and new parking areas. (*Also see Economic Development and Employment Policy ED-6.*)

Policy T-33 Disabled Parking and Passenger Zones

Ensure adequate disabled parking and passenger drop-off zones.

Actions:

- A. Require access to adequate disabled parking and passenger drop-off zones in all new commercial and residential developments.
- B. Improve enforcement of disabled “blue zone” parking.

Policy T-34 Downtown and Southside Parking Management

Manage the supply of Downtown and Southside public parking to discourage long-term all-day parking and increase the availability and visibility of short-term parking for local businesses. (*Also see Economic Development and Employment Policy ED-6.*)

Actions:

- A. Offer reduced rate or free parking for carpools and van pools at City garages and selected street locations.
- B. Improve signage and access to existing public parking, including UC lots open to the public, in the Downtown and in the Southside.
- C. Increase all-day parking rates, maintain lower parking rates for short-term parking, eliminate monthly parking passes, provide “cash-out” programs, and extend hours of operation in City garages.
- D. Improve lighting and security in Downtown garages to encourage better utilization during off-peak hours.
- E. Require all City employees and officials to pay the fair market rate for parking.

- F. Limit employee parking based on need for a vehicle on the job, number of passengers carried, disability, and/or lack of alternative public transportation.
- G. Identify locations to increase short-term, on-street parking capacity through re-striping and angled parking in commercial areas.
- H. Enforce existing short-term parking laws in commercial districts (e.g., meter parking) to alleviate abuse.
- I. Provide information on transit alternatives, commuter checks, and obtaining transit passes at City parking garages and on City parking tickets. Give this information to everyone who applies for a long-term parking permit in any City-owned parking lot or garage.
- J. Encourage visitors attending sporting events, entertainment events, theatrical performances and special events in the Downtown and Southside areas to use transit so that some existing parking remains available for other visitors.
- K. Increase the availability of short-term parking by encouraging better utilization of existing parking as recommended by the Southside/Downtown Transportation Demand Management Study, including making parking that is currently not available to the public, available for short-term parkers.
- L. Work with the business and arts community and owners of existing parking lots and garages, including the University, to cooperatively manage parking demand and parking resources, coordinate parking policies, parking rates and parking information programs, and widely disseminate parking maps and parking information.

T-35 Public Parking Supply in the Downtown and Southside

Prioritize implementation of improved parking conditions in the Downtown and Southside through better utilization of existing parking and through implementation of policies to reduce demand for parking. Allow enough time for these improvements to be in place to demonstrate their effectiveness before considering public expenditures on construction of additional City-owned public parking spaces in the area.

Actions:

- A. Reduce demand for parking by implementing specific actions in the Southside/Downtown Transportation Demand Management Study (see Tier One, Tier Two, and Tier Three programs and actions in the TDM Study) particularly taking actions to improve transit services and implementing an Eco-Pass program (*see Policy T-3*), and implementing commuter, shopper, and visitor shuttles (*see Policy T-2*).
- B. Increase availability of existing parking, including UC parking, to shoppers, visitors, and other short-term users (*see also Policy T-34*).
- C. Establish baseline parking supply and utilization data and monitor parking conditions on an ongoing basis in all City and UC parking lots and garages available to commuters, shoppers, and other visitors to determine effectiveness of implementation of Actions A and B.
- D. Conduct a visitor access survey to improve understanding of visitor use of and demand for parking (including bicycle parking) and transit at different times and locations in the Downtown and Southside and to help inform implementation of Actions A and B. If visitor access survey indicates

substantial visitor/customer demand for short-term parking, determine how the City's parking policies and administration can be strengthened to discourage all-day commuter parking and make more visitor/customer parking available.

- E. Create a prioritized implementation plan for Actions A and B, including a schedule, so that the community can track the progress of implementation.
- F. Working cooperatively with the Downtown Berkeley Association and other stakeholders, develop approaches (incentives and disincentives) that would discourage employees from parking at meters, preventing those spaces from being used by short-term visitors and customers.
- G. If it is determined in the future that additional parking is needed in the Downtown area, the Center Street garage will be considered an appropriate location for expansion. Parking expansion shall be prohibited at the Civic Center Park.

Policy T-36 Satellite Parking Facilities

Explore opportunities to move existing long-term parking supply out of the Downtown, University, and Southside areas by creating satellite parking lots with express shuttle service to the Downtown and Southside areas.

Policy T-37 University of California and Large Employer Parking

Encourage large employers, such as the University of California and Berkeley Unified School District, to allocate existing employee parking on the basis of a) need for a vehicle on the job, b) number of passengers carried, c) disability, and d) lack of alternative public transportation. (*Also see Land Use Policy LU-39.*)

Action:

- A. Encourage the University of California to cap its parking supply at current levels, to postpone any plans to expand its existing (year 2000) parking supply, and instead to encourage transit use and alternative modes of transportation, and better manage and utilize existing parking.

Policy T-38 Inter-Jurisdictional Coordination

Establish partnerships with adjacent jurisdictions and agencies, such as the University of California and the Berkeley Unified School District, to reduce parking demand and encourage alternative modes of transportation.

Actions:

- A. Manage off-street parking facilities.
- B. Create satellite parking lots for employees and students.
- C. Promote programs such as the AC Transit Class Pass for students and employees to reduce parking demand.
- D. Encourage the University to increase all-day parking fees to market rates.
- E. Encourage the University to make all University parking available at market rates to the public during evening hours and summer sessions.

- F. Promote bicycle and pedestrian travel through training, education, incentive programs, and physical improvements such as path improvements and signage, bicycle lockers, and shower facilities.
- G. Encourage BUSD and UC to provide bicycles for staff use and job-related tasks.

Policy T-39 High-Tech Parking

To make the most efficient use of available land, encourage consideration of high-tech computerized parking (e.g., lifts and or “robotics”) when replacing existing public parking or when providing off-street parking for multi-family residential projects.

Policy T-40 Parking Impacts

When considering parking impacts under the California Environmental Quality Act for residential projects with more than two units located in the Avenue Commercial, Downtown, or High Density Residential land use classifications, any significant parking impacts identified that result from the project should be mitigated by improving alternatives to automobile travel and thereby reducing the need for parking. Examples include improvements to public transportation, pedestrian access, car sharing programs, and bicycle facility improvements. Parking impacts for these projects should not be mitigated through the provision of additional parking on the site. The City finds that:

1. Parking supply and demand may easily be adjusted by changing local pricing policies and by changing how the supply is managed.
2. As the parking supply increases or parking costs decrease, automobile use becomes a more attractive transportation alternative and demand for parking increases. As parking supply decreases and its price increases, demand decreases.
3. Increasing the parking supply increases automobile use, which causes a measurably negative impact on the environment.

Policy T-41 Structured Parking

Encourage consolidation of surface parking lots into structured parking facilities and redevelopment of surface lots with residential or commercial development where allowed by zoning.

Actions:

- A. Strategically locate structures to serve commercial and employment centers through the use of express shuttle and trolley service.
- B. Encourage housing above parking in transit-oriented locations.
- C. Provide parking and recharging facilities for alternative vehicles such as bicycles and electric and low-emission vehicles.
- D. Whenever feasible, orient automobile access to parking lots and garages away from designated bicycle ways and boulevards and avoid blank walls along pedestrian ways.

BICYCLES
(ALSO SEE THE BERKELEY BICYCLE PLAN)

Policy T-42 Bicycle Planning

Integrate the consideration of bicycle travel into City planning activities and capital improvement projects, and coordinate with other agencies to improve bicycle facilities and access within and connecting to Berkeley.

Policy T-43 Bicycle Network

Develop a safe, convenient, and continuous network of bikeways that serves the needs of all types of bicyclists, and provide bicycle-parking facilities to promote cycling.

Actions:

- A. Expand the supply of highly secure bicycle parking near transit hubs and commercial areas.
- B. Encourage business owners to provide bicycle parking, showers, and lockers for employees and bicycle parking for customers.
- C. Encourage, and when appropriate require, new multi-family residential developments to provide secure locker space for resident bicycles and for such things as dollies, shopping rollers, wagons, and carts that facilitate a non-motorized lifestyle.

Policy T-44 Bicycle Safety

Improve bicycle safety for riders, pedestrians, and drivers through continuing education of motorists and bicyclists as well as rigorous enforcement of laws for both bicyclists and automobile drivers.

Policy T-45 Bicycle Promotions

Promote bicycle use by increasing public awareness of the benefits of bicycling and of the available bike facilities and programs.

Policy T-46 Bicycle Funding

Secure sufficient resources from all available sources to fund ongoing bicycle improvements and education.

Policy T-47 Bicycle Delivery Services and Other Utility Cycles

Support pedal cab, bicycle delivery services, and other utility cycle uses.

Actions:

- A. Encourage local businesses to support utility cycle businesses.
- B. Continue to use bicycle delivery services for City of Berkeley deliveries.
- C. Continue to provide bicycles for use by City of Berkeley employees for work-related local trips.
- D. Encourage use of human-powered utility cycles by Berkeley residents.
- E. Consider supporting a pilot program to introduce and promote use of utility cycles in Berkeley.

PEDESTRIANS AND PERSONS WITH DISABILITIES**Policy T-48 Pedestrian Plan**

Create a Pedestrian Plan for the purpose of developing additional strategies and policies to make Berkeley safer for pedestrians and to make Berkeley a more pedestrian-friendly city.

Policy T-49 Disabled Access

Improve pedestrian access for the entire disabled community.

Actions:

- A. Fund sidewalk, crosswalk, curb, signalization and signage, and talking signal improvements.
- B. Use regulation and incentives to require or encourage accessibility upgrades for private businesses.
- C. Encourage businesses to exceed the minimum standards set by the ADA “readily achievable barrier removal” requirement.

Policy T-50 Sidewalks

Maintain and improve sidewalks in residential and commercial pedestrian areas throughout Berkeley and in the vicinity of public transportation facilities so that they are safe, accessible, clean, attractive, and appropriately lighted.

Actions:

- A. Prioritize pedestrian-serving public improvements, such as sidewalk repair and widening, bus shelters, street trees and lighting, public art, fountains, and directional signs.
- B. Establish safe, attractive pedestrian connections between residential areas, transit, shopping areas, and schools and other community facilities.
- C. Ensure that sidewalks are kept in good repair and are level, with a suitable grade for pedestrians and wheelchairs. Discourage, and when possible prevent, new developments from creating uncomfortably steep grades.
- D. Ensure adequate unobstructed sidewalk passage by appropriate placement of street furniture and amenities and prevention of obstruction of travel ways by such items as advertisement signs, merchandise, and utility boxes.

Policy T-51 Pedestrian Priority

When addressing competing demands for sidewalk space, the needs of the pedestrian shall be the highest priority.

Policy T-52 Pedestrian Safety and Accessibility

Provide safe and convenient pedestrian crossings throughout the city.

Actions:

- A. Seek to ensure that the distance between signal-controlled intersections, “smart crosswalks,” or stop signs is never more than one-quarter mile on major and collector streets. At intersections with severe or high pedestrian/automobile collision rates and at heavily used pedestrian crossings, consider all-way stop signals that allow the free flow of pedestrians through the intersection, “smart” signals to calm traffic and improve intersection safety, and pedestrian/bicycle-activated signals that allow bikes and pedestrians to cross busy streets without inviting traffic onto cross streets.
- B. Consider pedestrian crosswalk “runway” lights in the pavement at intersections with severe or higher than average pedestrian collision rates.

- C. Encourage and educate the public on the use of painted and unpainted crosswalks; enforce jaywalking regulations on main arterials.
- D. Encourage the creation of accessible pedestrian medians or islands in wide streets where people have to cross more than two lanes.
- E. Enforce pedestrian right-of-way laws.

Policy T-53 Intersections with Severe or High Collision Rates

Reduce pedestrian and bicycle collisions, injuries, and fatalities.

Action:

- A. Undertake a review of intersections or street locations with a high number of collisions and/or a high percentage of fatal or permanently disabling collisions and develop programs with appropriate mix of education, enforcement, and engineering changes to improve the safety of these intersections and locations. Consider:
 1. Adding signage at intersections, warning the public that the intersection has been the site of several traffic collisions or fatalities.
 2. Moving bus stops to the far side of the intersection so that buses do not block visibility at the intersection when stopping to pick up passengers.
 3. Providing an all-red, pedestrian phase to especially congested intersections, giving pedestrians the ability to cross the intersection in any direction before vehicles are given a green light.
 4. Lighted crosswalks.
 5. Maintaining a minimum 50-foot red, no-parking zone adjacent to the intersection to increase visibility.
 6. Re-timing pedestrian crossing signals to allow more time for pedestrian crossing.
 7. Other actions recommended by the Bicycle and Pedestrian Safety Report.

Policy T-54 Pathways

Develop and improve the public pedestrian pathway system. (*Also see Land Use Policy LU-11 and Disaster Preparedness and Safety Policy S-22 Action A.*)

Actions:

- A. Allocate resources to identify and improve unimproved pathways.
- B. Maintain a complete and accurate inventory and database of Berkeley's Pathway Network, to include all known public paths, dedicated easements, and rights-of-way.
- C. Work with residents and interest groups adjacent to pathways to prepare a "Top Priority Improvement List" for pathway restoration. Give highest priority for public investment to paths that: 1) include neighbor support and a clear title, 2) provide an evacuation route, 3) continue existing paths, and 4) improve neighborhood circulation and provide access to community services and facilities.
- D. Continue to make repairs and safety improvements on public paths and restore unimproved paths.

TRANSPORTATION MAPS

Policy T-55 Street Networks: Increasing Access and Mobility

To ensure the effective and convenient movement of people and goods, ensure a successful integration of land use patterns and transportation systems, and encourage transitions to more environmentally sensitive modes of transportation, the Berkeley General Plan includes four network maps: the Vehicular Circulation Network map, the Transit Network map, the Bicycle Circulation Network map, and the Emergency Access and Evacuation Network map. The network maps identify the city's transportation infrastructure and establish priorities and standards for its use and improvement. These priorities and standards shall be used in conjunction with General Plan policies to determine priorities for use and determine network modifications to facilitate certain modes of travel. In all cases, the City shall recognize that the transportation network is a shared network that requires shared use and that to effectively achieve the transportation, land use, community safety, and economic development objectives of the General Plan will require careful consideration and balancing of competing objectives and needs. The network maps are intended to facilitate these future decisions.

Figure 7: Transit Network

The Transit Network map shown below identifies the network of streets that are necessary for efficient and effective transit services throughout the city. These streets are the highest priority for transit improvements, such as bus shelters and planned improvements that may serve light rail or ferry services. The network map does not depict every street that may be used by transit services and it is not meant to limit transit and shuttle services from streets not shown on the map.

Primary Routes shown on the map are the highest priority routes necessary to serve existing needs and inter-city connections.

Secondary Routes are routes that are necessary to provide convenient access to other areas of the city and supplement the Primary Routes.

Planned Routes identify the highest priority additions to the transit circulation network.

Variations to the network may occur during final planning, design, funding, and implementation of specific transit improvements without a General Plan amendment.

Figure 8: Bicycle Circulation Network

The Bicycle Circulation Network map shown below identifies the streets necessary for the efficient and safe movement of bicyclists throughout the city. These streets are the highest priority for bicycle treatments and improvements.

Bicycle Boulevards are roadways that have been designated for planned modifications to enhance bicyclist safety and convenience. The Bicycle Boulevards are intended to serve as the city's primary bikeways.

Bicycle paths, lanes, and shared roadways (Class 1, 2, 2.5, and 3) are defined in the Bicycle Plan. They serve as the secondary bikeways necessary to provide safe and convenient access throughout the city. Distinctions and details on bikeway designations, improvements, and priorities are included in the Bicycle Plan.

Variations to the network may occur during final planning, design, funding, and implementation of specific bicycle improvements without a General Plan amendment.

Figure 9: Emergency Access and Evacuation Network

The Emergency Access and Evacuation Network map identifies the roadways in the city that must be maintained for emergency access and emergency evacuation in case of a major disaster, such as fires, earthquakes, floods, reservoir rupture, or hazardous materials release.

Figure 10: Vehicular Circulation Network

The Vehicular Circulation Network map classifies the city's street system. The Vehicular Circulation Network map and Transit Network map fulfill the State Government Code requirement that the General Plan provide a map or diagram showing the "general location and extent of existing and proposed major thoroughfares, transportation routes, and terminals." (The Vehicular Network map maintains the 1977 Master Plan Circulation Plan Map, pursuant to Council action on December 18, 2001. See Transportation Element Amendment #1.)

Local Streets are for local slow traffic, bicycles, and pedestrians. Local streets should be maintained and improved to create a safe and comfortable environment for residents living on the street and in the area. Improvements should emphasize the needs of the pedestrian first, bicyclists second, and vehicles third. Additional vehicular capacity should only be added if needed for public safety reasons. Street design improvements should discourage vehicular speeds above 15 or 20 miles per hour to maintain a safe environment for children, pedestrians, and bicyclists. Local streets are not shown on the map. If a street is not a collector or major street, it is a local street.

Collector Streets serve the movement of automobiles, buses, pedestrians, and bicycles between neighborhoods and across the city. Collector streets should be maintained and improved to balance the needs for a safe and comfortable environment for the residents living on these streets as well as the needs of the general public to be able to move efficiently through the city on a variety of modes, including bicycles, automobiles, transit buses, and shuttles. Street design improvements should discourage vehicular speeds above 25 miles per hour and maintain a smooth flow of traffic. In cases where a collector street is identified as a bicycle boulevard on the Bicycle Circulation Network map, improvements should emphasize the bicyclist first, and the automobile second. Collector streets in manufacturing areas should be improved to facilitate truck access and commercial traffic.

Major Streets serve the movement of automobiles, trucks, buses, pedestrians, and bicycles across the city, connecting to the regional transportation network, and to other jurisdictions. Major streets should be maintained to facilitate the efficient flow of automobiles and large vehicles through the city and out of the city. Improvements should encourage a smooth flow of traffic and discourage speeds above 25 miles an hour. In cases where a major street is identified as a Transit Route on the Transit Network map, improvements should emphasize the movement of public transit vehicles first and private automobiles second. In cases where major streets enter the Downtown, improvements should emphasize the pedestrian first, transit second, and the automobile third.

Scenic Routes. A segment of an established regional network of routes which traverse or provide the most efficient routes to or between areas of major scenic, recreation, or cultural attractions.

Figure 7: Transit Map

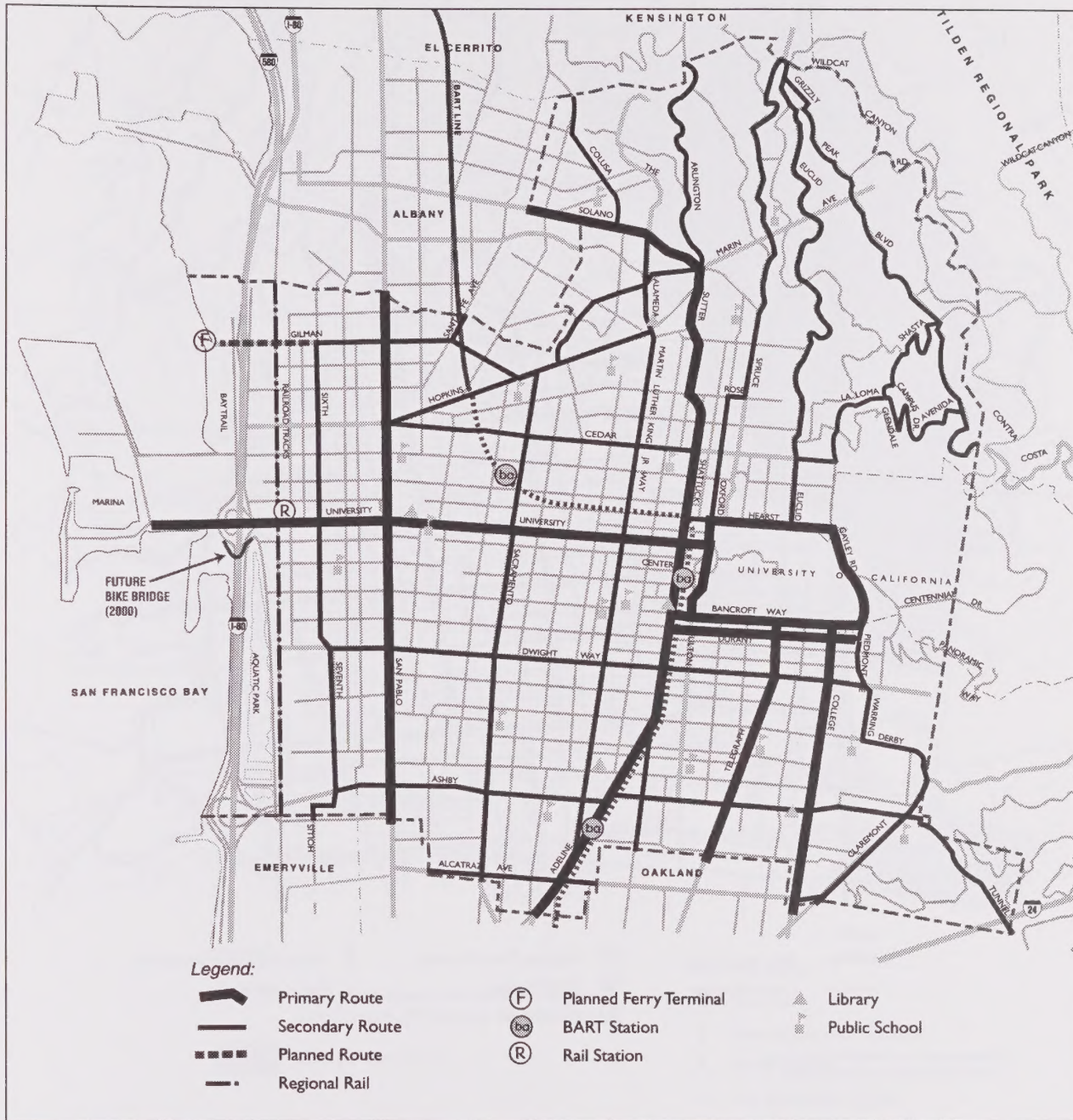


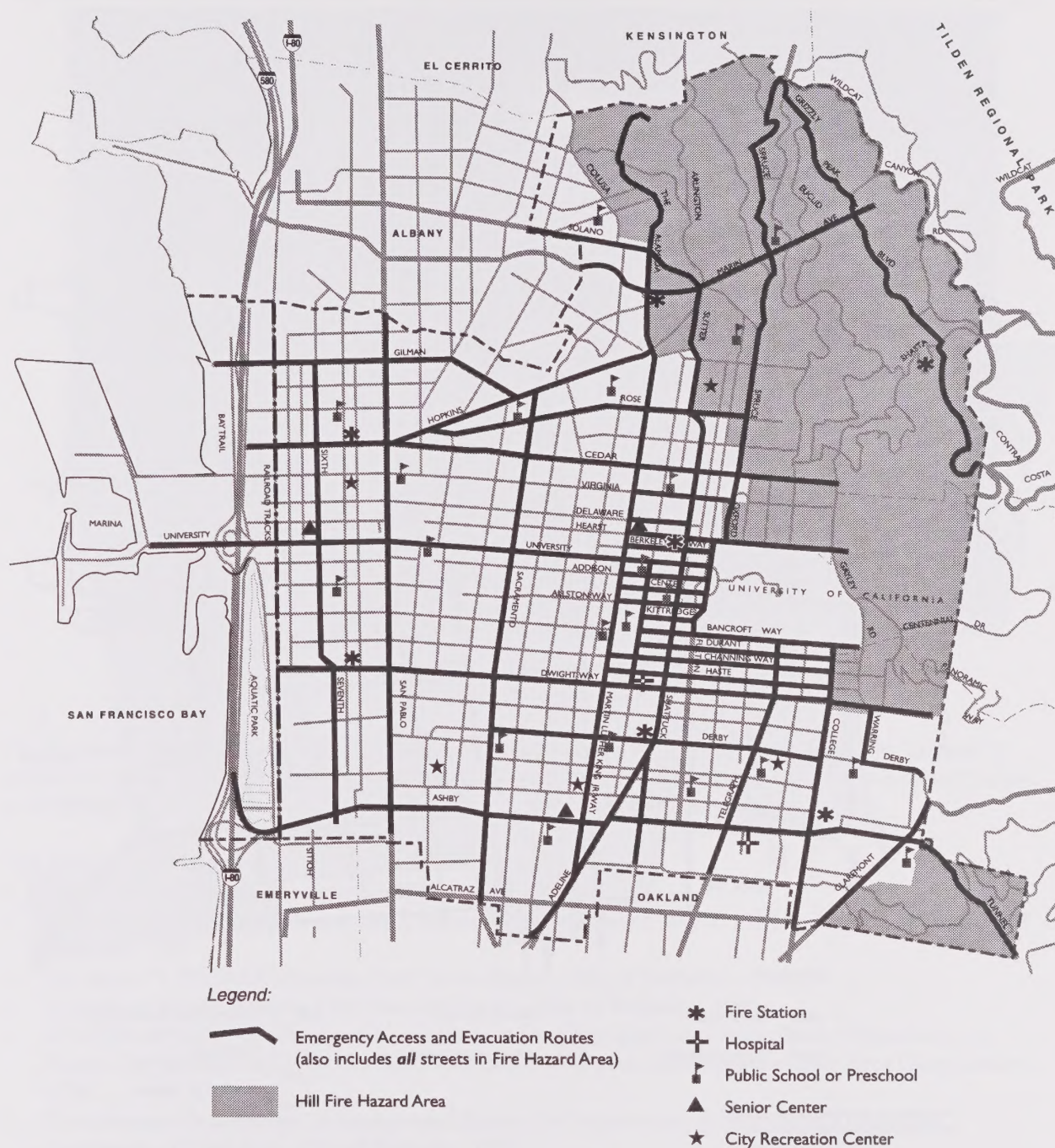
Figure 8: Bicycle Circulation Network



Prepared by the City of Berkeley Planning Dept.
for illustrative purposes only, updated 8/02

If any conflicts exist between this map and the Berkeley Bicycle Plan Map, the Berkeley Bicycle Plan Map should govern.)

Figure 9: Emergency Access and Evacuation Network



Prepared by the City of Berkeley Planning Dept.
for illustrative purposes only. updated 8/02

Figure 10: Vehicular Circulation Network



Prepared by the City of Berkeley Planning Dept.
for illustrative purposes only, updated 8/02

HOUSING ELEMENT



INTRODUCTION

The Housing Element serves as the City's overall housing goals and policy framework. The Element is intended to guide decisions that will facilitate the development, rehabilitation, and availability of housing in Berkeley.

The Housing Element is informed by the following documents:

- *The Housing Element Appendix, 2001*
- *Consolidated Plan for Housing and Community Development, July 1, 1995 to June 30, 2000, City of Berkeley, 1995.*
- *The Mayor's HIV/AIDS Housing Task Force Report, City of Berkeley, 1996.*
- *Analysis of Impediments to Fair Housing Choice, City of Berkeley, 1996.*
- *SHAKEN AWAKE! Estimates of Uninhabitable Dwelling Units and Peak Shelter Populations in Future Earthquakes Affecting the San Francisco Bay Region, Association of Bay Area Governments, 1996.*
- *Homelessness in Berkeley: A Background Report for Preparation of the Berkeley Homeless Continuum of Care Plan, City of Berkeley, 1997.*
- *The Berkeley Homeless Continuum of Care Plan, City of Berkeley, 1998.*
- *Rent Control in the City of Berkeley, 1978 to 1994: A Background Report for Updating the City of Berkeley's General Plan Housing Element, City of Berkeley, 1998.*
- *Berkeley Rent Control 1998: Occupant and Housing Profile (Public Review Draft), City of Berkeley, 1999.*

POLICY BACKGROUND

The Housing Element Appendix provides extensive information about the city's housing needs and existing programs to meet those needs. The appendix provides all of the supporting information required for a Housing Element pursuant to Government Code Sections 65580 *et seq.* The following policy background provides a brief summary of some of the information.

Housing Costs

The U.S. economy and its metropolitan housing markets in the 1960s and 1970s were very different from what exists today.¹ Household incomes, gross rents, and home values were generally more similar in 1960 among metropolitan areas, including Berkeley and the Bay Area, than in more recent data in 1990 and 2000. Over the last 30 years, post-World War II home prices, rents, and incomes in California, the Bay Area, and Berkeley increased faster than the national medians.

Over the last forty years, the cost of housing in Berkeley increased dramatically. Single-family home values (that is, reported home values by Census respondents) for Berkeley were one-third higher than the national median in 1960, but by 1980 Berkeley and Bay Area home values were over twice the national median home value of \$47,000. By 1990, Berkeley and Bay Area home values were over three times the national median, and they reached four times the national median by 2000.

As affordable home ownership options grew more scarce in the Bay Area, more pressure was placed on the rental housing market regionally, and in Berkeley, beginning in the 1970s. In 1980 and 1990, Berkeley's experience with rent control kept its rents close to the national median gross rents for 1980. They fell somewhat below the national median in 1990. Meanwhile, Bay Area and California median gross rents were both about 50 percent higher than both Berkeley's and the nation's median gross rent in 1990.

To gain a sense of comparative changes in gross rents through 2000, staff adjusted the national 1990 median gross rent by changes in the CPI for rent of primary residence in all U.S. cities between 1990 and 2000. Staff estimates the national median gross rent last year at \$594 per month. Rent increases in Berkeley during the 1990s closed the gap between Berkeley, the Bay Area, and California as a whole. The Berkeley Rent Stabilization Board reports a citywide median market rent in 2000 of \$1,100 per month for newly rented units², which was higher than staff's estimate of the Bay Area median gross rent of \$1,011 in 2000.

Staff collected the same data for Seattle, Washington, and Portland, Oregon, both West Coast cities with universities in them, as well as Boulder, Colorado, a western city that also hosts a major university. Berkeley's median household income fluctuated above and below the median household incomes of Boulder, Seattle, and Portland between 1960 and 1990. By 1990, however, Berkeley's median household income was similar to each of these cities, at about \$29,700. Berkeley's median gross rent closely paralleled those of Portland and Seattle, although Boulder's median gross rent was about 20 percent higher. Berkeley's rent control kept rents at or near national levels and those of other similar metropolitan areas like Seattle and Portland. Berkeley's home values increased to about twice as high as Seattle's and Boulder's in 1990 and over four times as high as Portland's.

¹ This summary of comparative housing costs is adapted from a memorandum from Stephen Barton, Interim Housing Director, to the Housing Advisory Commission, "Information Report on Comparative Housing Costs," 5 April 2001.

² This figure represents only newly rented Berkeley units in 2000, not all Berkeley rental units.

Housing costs play a major role in inflation, especially in the Bay Area. Rents increased 31 percent in the Bay Area between 1996 and 2000 in contrast to just 13.5 percent across all U.S. cities (an indicator which includes the Bay Area). Inflation in all non-housing commodities was just 9.5 percent between 1996 and 2000 in the Bay Area, versus 8.4 percent in all U.S. cities over the same period.

Housing Supply

Since 1980, Berkeley has experienced only very slow growth in its overall housing supply. Between 1980 and 2000, the city's housing stock grew 1.2 percent, from 46,334 units to 46,875 in the most recent Census, a net gain of 541 units. Between 1980 and 1990, the City actually experienced a net decline of 599 units (due in large part to a loss of illegal and second units as conditions changed under rent control). Between 1990



and 2000, however, the city's housing stock increased by a net gain of 1,140 new housing units.

Almost half of these new units were constructed by the University of California at Berkeley to house college students. The remainder were procured by efforts of private sector individuals, developers, and non-profit housing organizations.

Developers seeking to build new housing in Berkeley face an array of obstacles both governmental and non-governmental. The City of Berkeley's Zoning Ordinance allows second units in single-family residential zones under certain conditions. Other City regulations affecting parking and hillside development further constrain opportunities for new housing construction. At one time it could be argued that rent control in Berkeley was a disincentive to producing new housing, but in the wake of state deregulation of vacant rental units, market rents are higher than ever in Berkeley.

Berkeley also is nearly built out; there is little undeveloped land or property easily redeveloped in Berkeley to enable addition of new units. As a result, those properties suitable for development are the objects of intense competition, which bids up land values. Areas where zoning might otherwise allow new residential construction are precluded by slope and proximity to the Hayward earthquake fault. In addition, land values have increased significantly since 1990, and the recent regional economic boom in the Bay Area created a construction labor shortage that forced construction costs to rise.

Consequently, Berkeley's plans for housing development inevitably rely less on new single-family forms of housing and more on multi-family housing construction in the Downtown or along several of Berkeley's transit corridors.

Rental Housing

According to the 2000 Census, approximately 25,000 of the city's 46,875 housing units are rental units. Approximately 19,169 of the rental units are rent controlled units, and approximately 1,500 are rent

restricted “affordable” units. The rent restricted units include: senior housing (619 units), non-profit housing projects (496 units), public housing (75 units), limited equity cooperatives (130 units), the UC Hotel (74 rooms), and inclusionary units in for-profit projects (65 units).



Rent and Eviction Controls

Rent control is one of the City’s primary programs for maintaining good quality affordable housing, along with stability and security for the city’s tenants. The Berkeley voters passed the Rent Stabilization and Good Cause for Eviction Ordinance in 1980.³ In 1982, the voters passed a Charter Amendment establishing an elected Rent Stabilization Board (Berkeley Charter, Article XVII, section 121). The rent control program does not construct new housing. Rather, by regulating rents it is a key vehicle for preserving affordable housing stock for existing tenants in Berkeley. It also protects tenants from arbitrary evictions through a system of eviction controls and twelve defined just causes for eviction. Census data from 1990 indicate that Berkeley had approximately 43,500 occupied housing units (excluding dormitories and other group quarters housing). Almost 24,500 of these units were renter-occupied, housing 45,446 of Berkeley’s total 1990 population of 102,724. As of April 2001, over 19,300 units were listed as registered in the Rent Board’s official database. (Approximately 5,000 rental

units have always been exempt from rent control or are temporarily exempt.) Since single-family houses rented after January 1, 1996 are permanently exempt from rent control under the Costa-Hawkins Rental Housing Act of 1995, approximately 95 percent of all rent-controlled units are now apartments.

According to the 1990 U.S. Census, 49 percent of renters in Berkeley had family incomes at or below 50 percent of the median for the Bay Area. Only 14 percent of owner households were at or below the 50 percent level. Thus, policies that affect renters tend to affect lower income families.

Two events significantly increased rent levels in Berkeley in the decade of the 1990s: the *Searle* decision and subsequent actions, and the Legislature’s passage of the Costa-Hawkins Rental Housing Act in 1995, which mandated vacancy decontrol in Berkeley. In addition, the Rent Stabilization Board and the Code Enforcement Division of the Housing Department coordinate their efforts at protecting tenants from inappropriate rent increases and substandard housing conditions.

³Berkeley Municipal Code, Chapter 13.76.

Searle v. City of Berkeley Rent Stabilization Board

In 1990, in *Searle v. Rent Stabilization Board* (depublished by the California Supreme Court, October 25, 1990), the Court of Appeals ruled that the Board's method of awarding annual general adjustments (AGA) did not guarantee landlords a fair return in most cases. *Searle* required the Board to modify its AGA formula to account for the effects of inflation on net operating income (NOI).⁴ The Court also ruled that the Board had failed to establish a rational basis in its formula for measuring fair return on investment as 40 percent of CPI increase, but suggested that the record might support an adjustment of 50 percent or more. The Board, following that decision, amended its regulations to adjust the base period net operating income by a percentage equal to 100 percent of the increase in the Consumer Price Index, all items less shelter, between 1979 and 1990.

The Board passed Regulation 1113 authorizing a 45 percent rent increase in all units over May 31, 1980 rents. This increased current rents by 28 percent. Although the regulations permitted some gradual implementation, the net result was a sharp increase in rents across the board. Subsequently, in 1996, the Rent Board determined that the increase had been excessive and reduced rent increases somewhat to compensate. By that time, however, the State had mandated vacancy decontrol.

According to a recent Rent Stabilization Board survey,⁵ 30 percent of Berkeley tenants in 1988 reported paying more than 30 percent of their monthly incomes in rent. By 1998, this figure had risen to 48 percent, a 60 percent increase in the number of tenants paying over 30 percent of their incomes in rent 10 years before. The increase was caused in part by the *Searle* increases and in part by the Costa-Hawkins Rental Housing Act.

Costa-Hawkins Rental Housing Act

From 1979 through the end of 1998, the City of Berkeley controlled rents on both vacant and occupied rental units. The Costa-Hawkins Rental Housing Act, Civil Code sections 1954.50 to 1954.535, went into effect on January 1, 1996. The Act preempted to the State Legislature the power to regulate rents on vacant units, thereby instituting full vacancy decontrol in Berkeley (unlimited rent increases at the point of vacancy, and then recontrol of the rent) on all apartment units starting January 1, 1999. (Single-family units and condominiums are gradually exempt from all forms of rent control beginning January 1, 1999.) Between January 1, 1996 and January 1, 1999, the Act permitted a gradual decontrol, permitting the landlords to raise rents, upon vacancy, no more than twice in an amount equal to 15 percent over the previous rent in effect.

The Costa-Hawkins Rental Housing Act, which mandated full vacancy decontrol beginning in January 1999, erodes rent control's main purpose of maintaining an affordable housing stock. Although approximately 50 percent of regulated housing units are still affordable to low- and moderate-income tenants, the number of those remaining units with affordable rents decreases steadily by today's rent and income standards.

Subject to limitations on how units become vacant, residential property owners may seek market rent on units that turn over (where a tenant moves out and another moves in). When a unit gets rented anew, the owner informs the Rent Board of the new rent. The Rent Board calls this a "vacancy registration" and

⁴The Ordinance requires annual analysis and, if necessary, modification of the AGA to reflect changes in operating expenses but not necessarily to reflect the impact of inflation on NOI (which is a way of measuring profits).

⁵ Bay Area Economics, "Berkeley Rent Control 1998: Tenant and Housing Profile" (April 13, 1999, Berkeley Rent Stabilization Board), page 64.

while the unit is occupied by tenants paying this rent, it is under rent control.⁶

Eviction controls were amended in November 2000 by Berkeley voters' approval of Measure Y. This measure prohibits landlord and relative move-in evictions in the following instances:

- The landlord owns less than a 50 percent recorded interest in the property.
- A tenant in the unit has lived on the property for 5 or more years and the landlord has a 10 percent or greater ownership interest in 5 or more residential units in Berkeley (with limited exceptions).
- A tenant in the unit is at least 60 years old or disabled, and has lived on the property for five or more years, and the landlord has a 10 percent or greater ownership interest in 4 residential units in Berkeley (with limited exceptions).
- The landlord is otherwise entitled to evict the tenant but owns a vacant (currently or within the last 90 days) and available comparable unit in Berkeley.

Under Measure Y, landlords must offer the tenant any unit the landlord owns in Berkeley that becomes available before the tenant vacates his or her unit, and must provide a \$4,500 relocation assistance payment to any low-income tenant who has resided in the unit for one year or more, provided the tenant notifies the landlord and Rent Board in writing of their low-income status. In addition, the landlord or relative must move into the unit within three months of the eviction and must live in the unit for three years. Measure Y also gives evicted tenants the right to reoccupy the unit when the landlord or relative moves out.

Homelessness

Homelessness continues to be a significant problem in Berkeley. No clear data exist to document that homelessness is either increasing or decreasing. However, anecdotal indications suggest that homelessness has not decreased and has probably increased in Berkeley with the implementation of Federal welfare reform legislation, vacancy decontrol, increased housing demand from the economic boom of 1999 and 2000, and household growth in the Bay Area.

There are approximately 1,000 homeless people in Berkeley at any given time and each year a total of over 3,000 people are homeless in Berkeley at least part of the year. Many homeless people struggle with serious mental illnesses, drug or alcohol addiction, or physical ailments (including HIV/AIDS), and have special housing needs as a result. Other Berkeley residents may be at risk of homelessness. Of the 7,700 non-student households in Berkeley who are eligible for government housing assistance, only about 2,800 households in 1990 received some form of government housing assistance (apart from the mortgage interest deduction). The City Council recognized in 1993-94 that homelessness is a regional problem demanding regional solutions. Today the City of Berkeley actively collaborates with homeless service providers, the City of Oakland, and Alameda County in addressing a variety of homeless issues, including development of standards of homeless service provision, and a standardized data collection and management system countywide to estimate the homeless population and monitor its service needs, while protecting client confidentiality.

City Efforts to Respond to Housing Challenges and Problems

The City of Berkeley and the City's Housing Department have initiated and maintained many important efforts to combat the housing problems facing the Berkeley community.

⁶ Additional discussion of these changes to Berkeley's rent stabilization and eviction control system is contained in the Housing Element Appendix.

Through the City's General Fund and Housing Trust Fund, the City has loaned for-profit and non-profit housing developers over \$8 million since 1990 for properties now in operation. In turn, developers have obtained an additional \$8 million in loans and grants from private-sector and other governmental (mainly Federal) sources. Another \$4.6 million has been loaned more recently on nearly 200 more new and rehabilitated affordable units, which have not yet been completed. Since 1987, a total of 287 new apartment and condominium units have been constructed under the City's Inclusionary Housing zoning provisions. Of these, 66 units have been made available at reduced prices or restricted rents. Of these restricted units, 37 are rentals and 29 are condominium units.

The City began operating its Housing Trust Fund in 1992 to provide gap financing to affordable housing development projects. To date, nearly 600 new and rehabilitated units have been completed and rented or sold to low-income households at affordable prices.

The Berkeley Housing Authority administers the Section 8 housing assistance program. This program can assist about 1900 qualified households. The program's lease-up rate is presently 85 percent.

The City also participates in the County's Mortgage Credit Certificate Program (MCC), which provides a Federal tax credit on mortgage interest to first-time homebuyers. The MCC Program is a Federal income tax credit that provides qualified low-income homebuyers a tax credit worth up to 15 percent of their annual mortgage interest paid on their home loan. MCC recipients adjust their Federal income tax withholding, which increases their take-home pay, making them better able to make their mortgage payment. Alameda County reports a cumulative total of 109 MCCs issued to Berkeley homebuyers since 1994, an average of about 24 MCCs per year. The average home price paid by MCC users was \$152,806.

Disaster Preparedness and Housing

A major earthquake on the northern segment of the Hayward Fault is expected to make more than 13,000 Berkeley housing units uninhabitable. In such an emergency, over 8,500 Berkeley residents are predicted to be homeless and in need of shelter, according to the Association of Bay Area Governments.

ELEMENT OBJECTIVES

In the year 2000 Berkeley has undergone and continues to undergo historic changes. Drastic increases in home prices and rents, fueled by a runaway Bay Area housing market and State-mandated decontrol of rents upon vacancy, have created a situation where the majority of current Berkeley residents could not afford to live here if they were only now trying to find a home in Berkeley.

Unless the City takes extraordinary actions to create a large stock of permanently affordable housing that is rented or sold at below-market rates, the Berkeley of the future will have a different and much higher-income population. As a result, it will lose a significant part of its economic and cultural diversity. Artists who work in the growing arts district will live elsewhere, as will people who work at the University, attendants who assist people with severe disabilities, and people who staff Berkeley's many non-profit organizations that provide social services and generate social innovations.

The main alternative is to encourage efforts to increase the number of permanently affordable below-market housing units from the current 1,600 units to 8,000 units primarily by encouraging acquisition of existing rental units by non-profit housing developers and limited equity co-ops. In addition, the City can encourage construction of new affordable units by housing developers. Eight thousand affordable units would be sufficient to enable as much as 16 percent of Berkeley's population to afford to live here on a low income.

Achieving this goal will require a major increase in funds for the City's Housing Trust Fund, which will require new sources of revenues. Such a program is achievable only with broad public support and willingness to sustain a genuinely transformative social program. Berkeley can choose to accept the current trend of rapid home price and rent escalation or take another path, but it will not be able to simply remain as it is today.

The policies and actions of the Housing Element are intended to ensure adequate housing opportunities for all citizens of Berkeley and guide the City toward achievement of the following objectives, which are carried over from the 1990 Housing Element:

1. Housing Affordability

Berkeley residents should have access to decent housing at a range of prices they can afford in pleasant neighborhoods that meet standards of quality. All current evidence indicates that the shortage of housing inventory increases as income declines. The shortage is particularly acute at the lowest levels of affordability in both the ownership and rental housing stock. Limited City resources must focus on these areas of need.

2. Maintenance of Existing Housing and Disaster Preparedness

Existing housing should be maintained, improved, and fully utilized. In addition, Berkeley anticipates substantial damage to housing units from a major earthquake on the northern segment of the Hayward Fault. Given housing market conditions here, it is critical that the community plan to avoid a net loss of housing units resulting from earthquakes or other major disasters.

3. Expansion of the Housing Supply

New housing should be developed to expand housing opportunities in Berkeley in accordance with density and environmental standards. Particular attention should be directed at development on transit corridors and at nodes.

4. Special Needs Housing

Berkeley should have an adequate supply of housing throughout the city for people with special needs. Consistent with this objective, Berkeley should maintain its efforts to reduce homelessness through regional coordination, and provision of appropriate service-enriched housing. Where feasible, Berkeley should fill gaps in housing and services and in its overall continuum of care. Additionally, the City should strive to increase available housing for those who have physical and/or mental disabilities.

5. Relationship with the University of California and Other Institutions

The University of California and other institutions should take responsibility for housing demand they generate which create additional pressure on the private housing market in Berkeley. By doing so, they would help avoid causing or increasing housing problems for other Berkeley residents. The City will work with the University and other State institutions to create new housing and jointly address housing issues of mutual concern.

6. Fair and Accessible Housing

Fair and accessible housing is the law. All residents should have equal access to housing opportunities, to necessary accommodations in their housing, to adequate financing and insurance, and to purchase, sell, rent, and lease property.

7. Regional Cooperation

Promote regional cooperation on housing and related issues to achieve planning goals.

8. Public Participation in Housing Decisions

Berkeley should improve the role of neighborhood residents and community organizations in the planning process. This includes thorough and timely notification to all interested parties.

9. Future Housing Element Revisions

Maintain an up-to-date Housing Element. Conduct a public review and update of the Housing Element every five years to examine whether major changes in policies may be necessary in order to achieve General Plan goals.

POLICIES AND ACTIONS

AFFORDABILITY

Policy H-1 Low and Moderate Income Housing

Increase the number of housing units affordable to low- and moderate-income Berkeley residents. (*Also see Land Use Policies LU-18 and LU-25.*)

Actions:

- A. Develop a specific ordinance to encourage below-market-rate housing that includes a variety of incentives for affordable housing development including but not limited to density bonuses, fee waivers, property tax waivers, subsidized loans, and other programs.
- B. Allow increases in density in specific areas of the city solely to promote the production of below-market-rate housing.
- C. Use existing City programs to provide housing to households at the lowest income levels, including deeply affordable housing for persons with disabilities, the elderly, and very low-income families.
- D. Ensure that below-market-rate housing is distributed as evenly as possible throughout the community.
- E. Maintain and enforce zoning provisions requiring inclusion of affordable units in new housing developments. Consider adjustments to the affordability levels to make units more affordable in response to the increasing cost of rental and ownership housing in the community.
- F. Set a goal of providing an additional 6,400 permanently affordable housing units for low- and very-low-income households through acquisition of existing housing and new construction.
- G. Encourage developers to separate the actual costs for renting parking from the costs of new rental housing for the tenants.
- H. Emphasize providing entry-level home ownership for teachers, City employees, and others in Berkeley's workforce, by continuing the City's First Time Homebuyer participation in the County mortgage certificate program, providing subsidies for limited equity cooperatives and deed-restricted condominiums and other forms of ensuring continued affordability, providing first-time homebuyer opportunities for teachers, City employees, and others in Berkeley's workforce, continuing efforts to establish homebuyers' program for Section 8 certificate holders, and improving educational materials on how to take advantage of these programs.

Policy H-2 Funding Sources

Aggressively develop additional sources of funds for low-income housing, assistance to low-income residents, and implementation of the Berkeley Homelessness Continuum of Care Plan. (*Also see Land Use Policy LU-28.*)

Actions:

- A. Consider local bond financing and local, State, and Federal tax sources, such as business license tax and/or real property transfer tax, to generate additional resources for the Housing Trust Fund and other housing programs. Require provisions to allow for pass-through of additional costs from any increased tax burden to tenants.
- B. Consider a program that “links” City of Berkeley financial assets to lending institutions with lending practices that support low-income housing development.
- C. Increase housing mitigation fees on new development to the maximum allowed under the existing nexus study; if necessary, prepare a new nexus study to adjust fees to changing housing market conditions. Apply impact fees to new hotel or conference center uses as well as to office, retail, and industrial uses.
- D. Consider adopting a redevelopment project area for blighted commercial areas of the city, including blighted areas of south Shattuck Avenue, and directing tax increment revenues from those areas to fund infill affordable housing as part of mixed use development.
- E. Maintain and improve the Berkeley Housing Authority’s ability to assist low-income Berkeley households to locate and secure suitable and affordable rental housing.

Policy H-3 Maintaining Affordability

Ensure that below-market-rate housing remains affordable for the longest period that is economically and legally feasible.

Action:

- A. To keep existing housing affordable, prioritize the use of City resources to assist in the acquisition of existing privately-owned housing with expiring rent subsidies by nonprofits committed to ensuring that rents remain affordable for the current low-income tenants.
- B. As part of the General Plan annual review, staff will provide an evaluation of existing subsidized housing properties that may be at risk of conversion and recommend measures for mitigating potential impacts.

Policy H-4 Rent Control

Take actions to protect tenants from large rent increases, arbitrary evictions, hardship from relocation, and the loss of their homes.

Actions:

- A. Support the Rent Stabilization Program and enforcement of the Rent Stabilization and Eviction for Good Cause Ordinance in order to protect tenants from large rent increases and loss of their homes.

- B. Support repeal of the vacancy decontrols of the 1995 Costa-Hawkins Act or pursue other means to provide City autonomy to stabilize rents through vacancy controls.

Policy H-5 Acquisition

Use City resources in the broadest and most efficient way to enable acquisition of existing rental housing by tenants' groups and nonprofit organizations under conditions that assure permanent affordability of such housing, such as use of the limited equity cooperative form of ownership.

Action:

- A. Provide technical assistance and information to tenants on how to establish limited equity cooperatives.

Policy H-6 Economic Diversity

Encourage inclusion of households with a range of incomes in housing developments through both regulatory requirements and incentives.

Policy H-7 Rental Housing Conservation

Preserve existing rental housing by limiting through regulation the subdivision of land for the purpose of converting rental properties to condominiums.

Action:

- A. Consider setting a final date for conversion of tenant-in-common units to condominiums.

Policy H-8 Single Room Occupancy Housing

Encourage the preservation and expansion of the supply of residential hotel rooms and other single room occupancy (SRO) accommodations that provide low-cost housing to Berkeley residents.

MAINTENANCE OF EXISTING HOUSING

Policy H-9 Maintain Housing

Maintain and preserve the existing supply of housing in the city.

Policy H-10 Code Requirements

Enforce code requirements to insure that existing housing meets health and safety standards.

Actions:

- A. Develop an outreach program to property owners to keep them apprised of changes in regulations and laws such as lead-based paint disclosure requirements, security bar rules, etc.
- B. Support efforts to develop a program for periodic inspection of rental units for health and safety code compliance.

Policy H-11 Deterioration, Blight, and Deferred Maintenance

Prevent blight and the deterioration of housing units resulting from deferred maintenance.

Actions:

- A. Pursue all legal remedies to require owners of vacant, blighted residential structures to repair and return their properties to the housing market.
- B. Work with lending institutions to increase financing options for housing rehabilitation.

Policy H-12 Assistance Programs

Establish and maintain programs to assist low-income property owners with maintaining rental housing without the need to raise rents.

Policy H-13 Energy Efficiency

Improve the safety and energy efficiency of new and existing homes and apartments. *(Also see Environmental Management Policies EM-4, EM-5, EM-35, and EM-36, and Urban Design and Preservation Policy UD-33.)*

Actions:

- A. Encourage use of green building materials and reuse of building materials.
- B. Consider revisions to City building codes to encourage environmentally sound construction and rehabilitation.

Policy H-14 Berkeley Housing Authority

Encourage the Berkeley Housing Authority and other owners of publicly subsidized rental housing to cooperate with occupant organizations to maintain a high-quality living environment. Encourage the continuing improvement of the Housing Authority and, as with all departments, ensure that it meets the highest requirements and standards in its performance.

Actions:

- A. Take appropriate actions that will result in the Berkeley Housing Authority remaining within the City structure, rather than transfer programs to the County or other housing agency.
- B. Consider posting information regarding availability of affordable housing on the City's website.

Policy H-15 Seismic Reinforcement

Maintain housing supply and reduce the loss of life and property caused by earthquakes by requiring structural strengthening and hazard mitigation in Berkeley housing. *(Also see Disaster Preparedness and Safety Policies S-15, S-17, S-18, S-20, and S-21.)*

Actions:

- A. Consider enacting additional incentive programs and requirements to encourage retrofitting of seismically unsafe buildings, such as unreinforced-masonry buildings and soft-story buildings.
- B. To reduce the seismic threat to Berkeley's housing stock without necessitating substantial rent increases that would displace many tenants, develop funding sources to minimize the financial impact of retrofits on low- and moderate-income residents.

- C. Evaluate the seismic upgrade program funded by the City real property transfer tax to insure that such funds are used in an efficient and effective manner.
- D. Establish specific findings and procedures that can be used to expeditiously and efficiently approve reconstruction of pre-existing, legal, non-conforming residential structures after a major natural disaster.

EXPANSION OF THE HOUSING SUPPLY

Policy H-16 Transit-Oriented New Construction

Encourage construction of new medium and high density housing on major transit corridors and in the Downtown consistent with zoning and compatible with the scale and character of these areas. *(Also see Land Use Policies LU-18, LU-23, and LU-25, and Transportation Policy T-16.)*

Actions:

- A. Ensure that new multi-family housing developments include a significant below-market-rate component.
- B. Consider a variety of incentives such as waiver or partial waiver of parking requirements in areas heavily served by transit or expansion of lot coverage in addition to height bonuses.
- C. Consider revisions to the zoning ordinance to establish a minimum height limit of two, and where feasible, three stories, and to require or encourage residential development above the ground floor on transit corridors.

Policy H-17 Second Units

Encourage and facilitate addition of secondary or small "in-law" units on properties with single-family homes in conformance with existing zoning regulations, but not in areas that are particularly vulnerable to natural disaster. *(Also see Disaster Preparedness and Safety Policy S-16.)*

Policy H-18 City-Owned Sites

When appropriate and feasible, use City-owned or -controlled sites for affordable housing and/or mixed-use residential projects with a substantial portion of affordable units. *(Also see Land Use Policy LU-32.)*

Action:

- A. Require development on the City-owned Oxford Street parking lot Downtown and the Ashby BART air rights (west of Adeline Street) to be residential mixed-use developments. If feasible, 50 percent or more of the housing units on these sites should be affordable for households with low or very low incomes.

H-19 Regional Housing Needs

Encourage housing production adequate to meet the housing production goals established by ABAG's Regional Housing Needs Determination for Berkeley. *(See Tables 30 and 31, Housing Element Appendix for numerical goals.)*

Actions:

- A. Review housing production in Berkeley at the time of the annual General Plan review. As part of the process, evaluate the City's progress toward meeting the City's share of the regional housing need as determined by ABAG.

- B. Regularly evaluate City regulations and ordinances to identify and reduce unnecessary impediments to housing development and affordable housing projects.

Policy H-20 High Density Zoning

Maintain sufficient land zoned for high and medium density residential development to allow sufficient new construction to meet Berkeley's fair share of regional housing needs. *(Also see Land Use Policy LU-23.)*

Action:

- A. Require that developers and City staff work with neighboring groups to ensure adequate notification of proposals and steps to address concerns.

Policy H-21 Demolition

Discourage demolition of housing units unless the structure is hazardous or repair is infeasible. Insure that the replacement project will result in the same or larger number of new housing units in conformance with existing zoning regulations.

HOMELESSNESS REDUCTION AND SPECIAL NEEDS HOUSING

Policy H-22 Homeless Housing

Seek solutions to the problems of homeless individuals and families with the end goal of providing permanently affordable housing.

Policy H-23 Family Housing

Support housing program activities that enhance the ability of households with children and large families to find affordable and suitable housing.

Policy H-24 The Elderly and the Disabled

Support housing program activities that increase the ability of elderly and disabled households to remain in their homes or neighborhoods, and if necessary, to locate other suitable affordable housing to rent or purchase.

Policy H-25 Disabilities

Encourage provision of an adequate supply of suitable housing to meet the needs of people with serious physical, mental, and/or emotional disabilities.

Policy H-26 Supportive Services

Encourage and coordinate the provision of affordable housing with supportive services.

Policy H-27 Coordinated Programs

Coordinate special needs housing programs with job training and employment programs for low-income and unemployed Berkeley residents.

Action:

- A. Ensure the availability of information regarding special housing in the community.

Policy H-28 HIV/AIDS

Help provide for the housing needs of homeless and low-income individuals and heads of households disabled with HIV/AIDS.

Policy H-29 Alcohol and Drugs

Include provision of housing for homeless and low-income individuals and heads of households disabled by or recovering from alcohol and other drug-related substance abuse.

Policy H-30 Emergency Shelter and Transitional Housing

To the extent feasible, provide emergency shelter and transitional housing to homeless individuals and families and coordinate provision of additional housing with supportive services for people with special needs, including people with mental, physical, and developmental disabilities, victims of domestic violence, youth, and the elderly.

Policy H-31 Domestic Violence

Help provide for the housing needs of homeless and low-income victims of domestic violence and their children.

Policy H-32 Eviction Prevention

Encourage eviction prevention and fair housing programs to avoid evictions that could lead to homelessness.

RELATIONSHIP WITH OTHER INSTITUTIONS

Policy H-33 University of California

Urge the University of California to maximize the supply of appropriately located, affordable housing for its students, and also to expand housing opportunities for faculty and staff. *(Also see Land Use Policies LU-37 and LU-38 Action A.)*

Actions:

- A. Encourage and promote construction of additional housing for students and faculty within walking distance of campus.
- B. Encourage development of satellite housing near transit more distant from the campus (including such locations in other municipalities).
- C. Encourage multi-generational housing projects.
- D. Work with the University and private developers and operators of student housing, including nonprofits, to increase the supply of affordable housing for faculty and staff.
- E. Encourage the University to continue to involve residents, community organizations, students, staff, City government and University administrators in long- and short-range plans for University housing.
- F. Work with other jurisdictions to advocate for changes in State legislation that would: 1) require the University of California to provide adequate housing for students and minimize housing impacts in the area from the University; and 2) allow State higher education funds to be used to cover some of the costs of constructing new student housing.

- G. Encourage the University to change its current requirement that new housing projects built on University surface parking lots pay a fee of \$20,000 or more per lost parking space.

Policy H-34 Group Quarters

Support and encourage construction of group housing near the University for student housing. (*Also see Land Use Policy LU-25.*)

Policy H-35 University Housing and Taxes

Support development of new housing for University-related households and other institutions that will not take additional land off tax rolls. If that is not possible, seek compensation for loss of revenue; seek agreement from the State of California, the University, and other institutions to compensate the City of Berkeley for services provided; and encourage that developments provide community facilities for both students and other residents. (*Also see Land Use Policy LU-38.*)

Policy H-36 University Housing and Displacement

Support University-related housing that avoids displacement of existing residents or a loss of existing rental housing resources available to other city residents.

Policy H-37 Maintenance and Expansion of Housing

Encourage the University and other institutions to keep residential buildings for housing, convert back to residential use residential buildings that have been converted to non-residential use, and convert to residential use any unused buildings and underutilized sites where feasible.

FAIR AND ACCESSIBLE HOUSING

Policy H-38 ADA

Use new construction and compliance procedures under the Americans with Disabilities Act (ADA) to increase the proportion of housing throughout Berkeley that is accessible or adaptable for use by Berkeley citizens with physical disabilities.

Policy H-39 Accessible Housing

Upgrade the existing housing stock by increasing the number of existing housing units that are universally accessible.

Actions:

- A. Develop accessibility standards for multi-family housing projects.
- B. Inform developers of all access requirements in a project's early stages.
- C. Require that all projects comply with existing State and local access regulations.
- D. Require that all projects receiving City funding comply with Federal access regulations.
- E. Encourage special housing types, including those which are environmentally and chemically safe.

Policy H-40 Equal Access

Ensure that all Berkeley residents have equal access to housing, financing, and insurance to purchase, sell, rent, and lease property.

Policy H-41 Family Housing

Enable families with children, single heads-of-household, and victims of domestic violence to find suitable housing.

Policy H-42 Discrimination

Implement Federal, State, and local fair housing laws prohibiting discrimination based on race, religion, sex, sexual orientation, ethnic background, age, physical disability, marital status, presence of children in household, household composition, student status, or presence of HIV/AIDS, or discrimination against a group for any arbitrary reason.

Policy H-43 Housing Assistance

Allocate housing assistance based on relative need on a nondiscriminatory basis.

Policy H-44 Redlining

Seek to prevent "redlining," prohibit predatory home mortgage lending practices, and make reasonably priced financing and insurance available to purchasers of residential properties throughout Berkeley.

Policy H-45 Outreach and Education

Continue outreach activities to inform the community about fair housing laws and rights and the Americans with Disabilities Act (ADA), including the rights and responsibilities of landlords and tenants, in order to increase understanding and cooperation between both groups.

Policy H-46 Integration

Encourage better integration in the Berkeley community by encouraging a range of incomes in all new residential projects receiving government assistance.

REGIONAL COOPERATION

Policy H-47 Financial Assistance

Encourage all levels of government (city, county, regional, State, and Federal) to provide financial assistance to meet affordable housing needs in Berkeley and the Bay Area.

Actions:

- A. Form alliances with other cities to lobby for State and Federal policies conducive to affordable housing and tenants' rights, including changes in rules on taxation and spending so that sufficient funds for affordable housing become available.
- B. Advocate for increases in and equitable distribution of State and Federal housing resources.

Policy H-48 Inter-Jurisdictional Approaches

Develop and coordinate multi-agency, regional, and cross-jurisdictional approaches to reducing homelessness, including both the homeless continuum of care and assertive community treatment models now in place in Alameda County and Berkeley.

Policy H-49 Suburban Sprawl

Advocate for controls on regional urban and suburban low-density land development to encourage more efficient use of land, reduce potential growth in traffic congestion, and increase supplies of affordable housing in job-rich communities in the Bay Area. *(Also see Environmental Management Policy EM-2.)*

Policy H-50 Housing and Environmental Protection Planning

Advocate regional integration of housing planning with planning for open space and environmental protection.

PUBLIC PARTICIPATION IN HOUSING DECISIONS**Policy H-51 Neighborhood Planning**

Encourage housing developers and neighborhood organizations to collaborate on affordable housing projects that address neighborhood concerns. *(Also see Land Use Policy LU-5, Urban Design and Preservation Policy UD-22, and Citizen Participation Policies CP-5 through CP-8.)*

Action:

- A. Strengthen opportunities for constructive participation by neighborhood organizations in planning and development decisions that affect their constituencies.

Policy H-52 Public Participation

Use public participation as a communication tool to seek attainment of common housing goals, and for sharing information about community needs in general.

Action:

- A. Encourage community support of affordable housing and special needs housing by combating misconceptions regarding affordable and special needs housing through active community outreach and education.

FUTURE HOUSING ELEMENT REVISIONS**Policy H-53 Housing Element Revisions**

Review the Housing Element during the annual review of the General Plan to ensure consistency with all other legally required elements, and revise as necessary. The City should consider whether major changes in objectives and policies are necessary to achieve its goals.

DISASTER PREPAREDNESS AND SAFETY ELEMENT



INTRODUCTION

The purpose of the Disaster Preparedness and Safety Element is to reduce the risk of death, injuries, property damage, and economic and social dislocation from natural and man-made hazards and disasters. Earthquakes, fires, landslides, floods, and hazardous materials releases are the primary hazards confronting the Berkeley community and are therefore the focus of this Element.¹ However, implementation of policies and actions included in this Element will make Berkeley more resistant to all kinds of hazards and disasters that may occur in Berkeley. The Disaster Preparedness and Safety Element provides the policy framework to support the City's mitigation, emergency preparedness, disaster response, and future recovery efforts.

To maximize its effectiveness, the Disaster Preparedness and Safety Element is intended to complement and support the other General Plan Elements and City documents such as the Multi-Hazard Functional Plan for Emergency Operations. Integrating safety as a consideration into all City decisions will ensure a safer and more sustainability community. For example, the Disaster Preparedness and Safety Element supports Land Use Element goals for neighborhood protection, Urban Design and Preservation Element goals for the protection of architecturally and historically significant buildings, and Housing Element goals for preserving and maintaining housing stock and increasing residential disaster preparedness.

POLICY BACKGROUND

Berkeley, like other Bay Area cities, faces a wide range of hazards ranging from natural hazards, such as earthquakes and fires, to man-made hazards such as the handling and transport of hazardous materials. The City must strive to understand the risks that these hazards pose and devise strategies that attain a

¹ Hazardous materials are addressed in the Environmental Management Element.

reasonable degree of safety for the community. Although threats cannot be eliminated, their level of damage can be minimized through individual and community preparedness, individual and community action to reduce or eliminate long-term risks (mitigation efforts), and sound development practices.

Given that the community is largely urbanized and densely populated, the challenge for Berkeley is to improve the safety of the existing built environment through a variety of systematic, ongoing, and incremental actions. These actions to reduce risk should be based on sound analysis of hazardous conditions and should include economically realistic interventions and incentives.

Berkeley's fire, police, and health departments are first responders in the event of any natural and/or man-made disasters. In order to prepare for a disastrous event, coordination with other agencies is critical. The ability of the University of California, the Berkeley Unified School District, and the City of Berkeley to prepare for, and respond to, a major disaster in a coordinated manner is essential to the health and safety of the Berkeley community. Coordination with neighboring jurisdictions is also critical. Wildfires can ignite in neighboring jurisdictions and spread quickly into Berkeley. Hazardous material spills or explosions in adjacent cities can affect Berkeley residents. Other municipalities, public and private utilities and transportation systems, hospitals, and special districts provide vital resident-serving services that are highly vulnerable to earthquakes and other hazards. This regional interdependence of medical, transportation, communications, emergency response, and other systems necessitates active coordination and a consistent level of mitigation and preparedness.

Lastly, but most importantly, the community must be prepared if the City is to reduce the risks associated with a major disaster. Neighborhood and business groups need to be trained on how to prepare for and respond to a major disaster. If the citizens of Berkeley are prepared, the risk to life and property from a major disaster will be significantly reduced. A major focus of the City's mitigation efforts must be the preparation and training of the community to help itself.

In recent years, the Berkeley community has made major accomplishments toward risk reduction in Berkeley. In 1992, the Berkeley community approved Measures G and A, which provided funds for the seismic retrofitting of all City fire stations and public schools, the creation of an emergency operations center, and improvements to the water system. Measure S was approved in 1996 and provided funds for seismic retrofit of the Central Library and the Civic Center Building (City Hall). The seismically reinforced Ronald Tsukamoto Public Safety Building, housing Police and Fire administrative staff, opened in 2000. Other public buildings remain to be seismically retrofitted, however.

Also in 1992 the Berkeley City Council established the Residential Seismic Retrofitting Incentive Program that provides two types of financial incentives to homeowners to retrofit their homes. The City will waive up to one-third of the transfer tax on a home sale, if the funds are used for seismic upgrades of the property. Between fiscal year 1992/93 and fiscal year 1997/98, approximately \$3,589,400 in property transfer tax for approximately 7,641 properties was waived under the Residential Seismic Retrofitting Incentive Program. The City will waive permit fees for seismic retrofitting of non-strengthened homes and unreinforced masonry structures. Between 1992 and 1999, approximately \$1,079,000 in permit fees was waived for 4,100 permits under the Residential Seismic Retrofitting Incentive Program. These incentives are credited with giving Berkeley one of the highest residential retrofit rates in the state. The Seismic Technical Advisory Group (STAG) was approved by City Council on March 14, 1995 to advise on seismic safety matters and assist in the development of a comprehensive seismic hazard mitigation strategy for the City of Berkeley. The panel was originally made up of three professors from the University of California at Berkeley; two earthquake-engineering experts, Professor Vitelmo Bertero and Professor James Kelly; and a seismic safety public policy expert, Professor Mary Comerio. L. Thomas Tobin, former Executive Director of the California Seismic Safety Commission, replaced Professor Comerio upon her departure. Professor Kelly recently resigned in April of 2002.

Overall, the Seismic Technical Advisory Group has provided review for the seismic improvements to many City buildings, including the MLK Civic Center Building and the Public Safety Building. Currently, the Group is reviewing the seismic upgrades of other public buildings and providing guidance for the Soft Story Assessment Project. The Seismic Technical Advisory Group's varied expertise makes them a unique asset to Berkeley in the development of a comprehensive approach to addressing the significant risk the community faces from earthquake hazards.

In September 1996, the Berkeley City Council adopted the *Multi-Hazard Functional Plan for Emergency Operations*. Coordinated and prepared by the City's Office of Emergency Services, this comprehensive citywide Plan outlines the critical functions and responsibilities of City departments and agencies in responding to an emergency. The *Multi-Hazard Functional Plan* identifies the potential extent of damage that would be inflicted by a disaster to emergency services buildings (e.g., hospitals), utilities, and transportation systems. An Emergency Management Organization defined in the Plan consists of a formal structure detailing the functions and responsibilities of each department in an emergency situation. The Fire Department's fire and rescue operations would continue to carry out the same functions (including fire fighting, rescue operations, hazardous materials management, and emergency medical treatment and triage) as in non-emergency periods. However, additional functions necessary in emergency periods are also spelled out. For example, the Fire Department would be responsible for all fire suppression and rescue operations, but would coordinate with the Office of Emergency Services (OES), Police Department, and Department of Public Works in alerting and warning the general public of dangers and in providing mass casualty treatment and transportation.

In 1998, the City of Berkeley won the Western States Seismic Safety Council's award for Overall Excellence in Hazard Mitigation, the Association of Bay Area Government's (ABAG) Award for Retrofit Incentive Programs, and recognition as the Federal Emergency Management Agency's (FEMA) 1998 Project Impact Model Community of the Year.

In 1999, FEMA designated the City of Berkeley as a Project Impact community. This initiative commits the City to creating, in partnership with the private sector, a risk-based, cost-effective, multi-hazard, community-supported long-term strategy to provide a heightened level of protection from natural hazards. The cornerstone of this commitment involves an aggressive public education effort aimed at strengthening and inspiring community mitigation actions.

In recent years, the City has been working to improve its website as a source of disaster preparedness and planning information for citizens. The site includes extensive information and checklists designed for citizen use. From the website, citizens can access other websites with important information. Some of the most useful information, as of the date of this publication, is available to the public at the following World Wide Web addresses:

1. City of Berkeley website: www.ci.berkeley.ca.us
2. City of Berkeley website disaster preparedness checklist for use by Berkeley citizens:
www.ci.Berkeley.ca.us/Fire/earthquake.htm
3. Community Preparedness website: www.preparenow.org/
4. Association of Bay Area Governments website providing detailed information and maps:
www.abag.ca.gov/bayarea/eqmaps/eqmaps.html
5. Seismology Laboratory at the University of California:
www.seismo.berkeley.edu/seismo/Homepage.html
6. U.S. Geological Survey: www.usgs.gov

In addition to the website, the City is able to provide up to the minute emergency information and evacuation information on radio KCBS (740AM), KGO (810AM), and Berkeley's WNZV (1610AM).

Hazards and Vulnerabilities

The Berkeley community is faced with several major potential hazards and associated vulnerabilities. The following sections of this Element identify the major hazards confronting the community, and those aspects or areas of the community that are most vulnerable to those hazards.

Seismic and Geological Hazards

Berkeley and the Bay Area are situated in a seismically active area. A system of parallel faults, including the Hayward, Rodgers Creek, Calaveras, San Andreas, and numerous other faults, exists in the area and poses a potential threat to the community. On October 14, 1999, the United States Geological Survey's Working Group on Earthquake Probabilities issued the following information assessing the likelihood of large earthquakes in the San Francisco Bay Area.

In 1990, the Working Group focused on the San Andreas, the Hayward, and the Rodgers Creek faults. Using information on the slip rates of each fault, the date of previous large events, and assumptions about fault geometry, the report concluded that the chance of one or more large earthquakes in the San Francisco Bay Area in 30 years was approximately 67%.

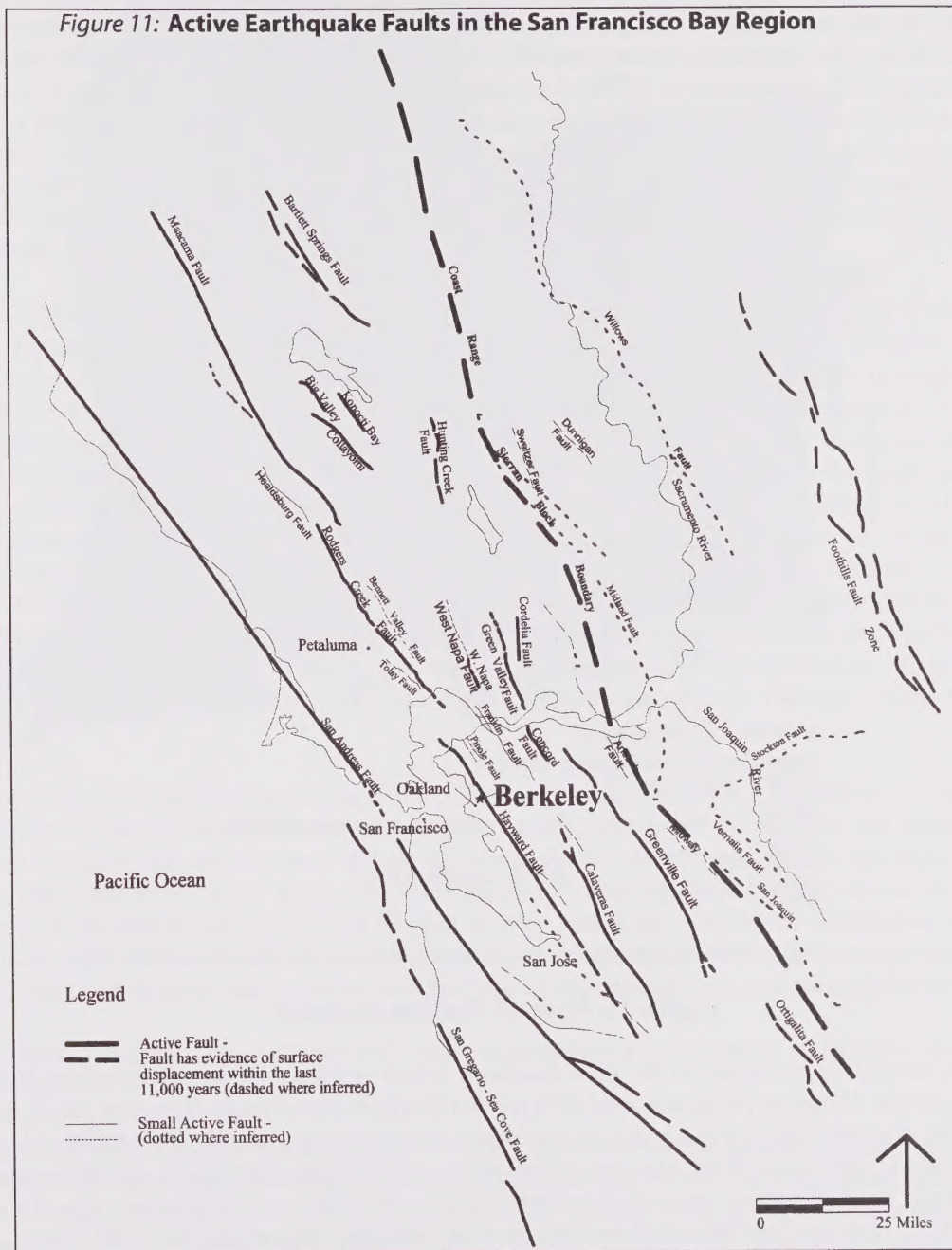
30-year Probabilities of One or More Magnitude 6.7 Earthquakes on San Francisco Bay Area Faults	
Earthquake Fault	Percent Chance of Occurrence
Hayward/Rodgers Creek	32%
San Andreas	21%
Calaveras	18%
San Gregorio	10%
Concord/Green Valley	6%
Greenville	6%
Mt. Diablo	4%
Hayward Fault Probabilities	
Southern Hayward	17%
Northern Hayward	16%
Rodgers Creek	20%

The new report assesses the odds of a magnitude 6.7 or higher over the next 30 years as 70% in the San Francisco Bay Area, with an uncertainty of 10%. Although these results are very similar to the 1990 study, the Working Group believes that the new numbers are more robust and reliable. This high probability of a damaging earthquake is extremely sobering.

The risk of a damaging earthquake encompasses the entire San Francisco Bay Area. While the previous studies concentrated on the San Andreas and Hayward fault systems, this report makes it clear that the hazard extends beyond the Peninsula and the East Bay. This is particularly relevant for the rapidly growing regions of Contra Costa, Alameda, Solano, Santa Clara, San

Benito, and Napa counties. In addition to computing a regional probability, the Working Group has computed fault-specific and segment-specific probabilities.²

Figure 11 shows the approximate location of the faults in the region.



² For the most recent available information on seismic hazards available to the public, readers are encouraged to review information provided by the Seismology Laboratory at the University of California and the U.S. Geological Survey. (See website information above.)

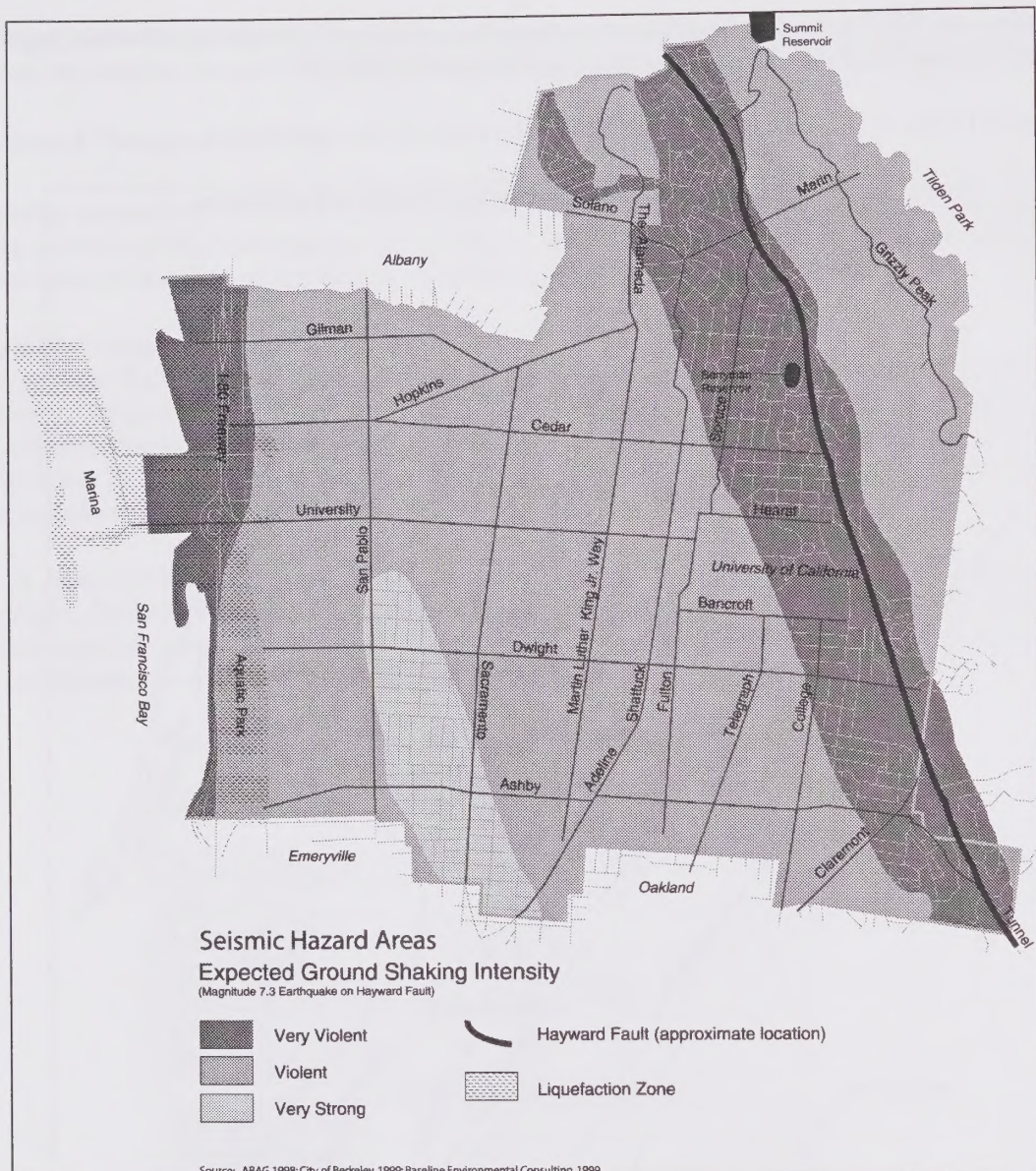


Figure 12: Ground Shaking Intensity

These numbers are similar to the 1990 numbers, which yielded 23% for the Southern Hayward, 28% for the Northern Hayward, and 22% for the Rodgers Creek fault. However, many people will be surprised that these are lower estimates. Several changes in the 1999 methodology explain the difference. First, the new report accounted for more variations in fault rupture. For example, the 1990 report estimated probabilities for the rupture of the Rodgers Creek fault, the Northern Hayward and the southern Hayward as individual segments. The 1999 report accounts for the possibility that these individual segments may rupture together and cause larger earthquakes. By allowing for the occurrence of larger earthquakes, the computed probabilities decrease since the larger events are less frequent. Second, the new report includes the effects of the "stress shadow" of the 1906 earthquake. That is, it accounts for interactions between the faults. In the case of the 1906 earthquake, the movement of the San Andreas acted to reduce the stress on the Hayward fault. Third, the new models account for the fact that the Hayward fault "creeps". Through this seismic movement, some of the strain accumulation is released. Finally,

new studies have shown that the 1868 earthquake was larger than previously thought, both in terms of the length of the rupture and the amount of slip. A larger rupture results in a larger strain release and contributes to lowering the probability.

The most significant physical characteristics of a major earthquake in Berkeley will be earthquake-induced ground shaking, which can lead to surface fault rupture, ground failure, and fire. Ground shaking is the vibration that radiates from the earthquake fault. Because it can damage or collapse buildings and other structures, it is the most serious and direct hazard produced by an earthquake. The impact of ground shaking on a building or structure is a function of the nature of the underlying soil; the structural characteristics of the building and the quality of workmanship and materials; the location and magnitude of the event; and the duration and character of the ground motion. Figure 12 shows the approximate location and intensity of ground shaking that might be expected in a magnitude 7.3 earthquake on the Hayward fault.

Earthquake-induced ground failure includes liquefaction, settlement, fault rupture, lateral spreading, and landslides. Liquefaction is the loss of soil strength due to shaking on water-saturated granular soils. The potential for liquefaction in Berkeley exists primarily to the west of the railroad tracks in low-lying areas adjacent to San Francisco Bay. Settlement is the vertical consolidation of loose soils and alluvium caused by ground shaking or liquefaction. The ground surface can range from a drop of a few inches to several feet, and may occur many miles from the epicenter. Along the Berkeley waterfront the potential for settlement exists due to underlying weak bay mud fill typical of the area. Lateral spreading is the horizontal movement or spreading of soil toward an open face such as a stream bank or the open sides of fill embankments. In Berkeley, locations most likely to be affected are areas with improperly engineered fill; steep, unstable banks; and areas near the waterfront underlain by soft bay mud soil deposits. In a major earthquake, Berkeley can expect lurch cracking to result in extensive rippling and fracturing of pavement and curbs, and damage to sewer, gas, and water lines. Seismic activity can also trigger landslides, primarily in the hill areas, which can result in significant property damage, injury, and loss of life.

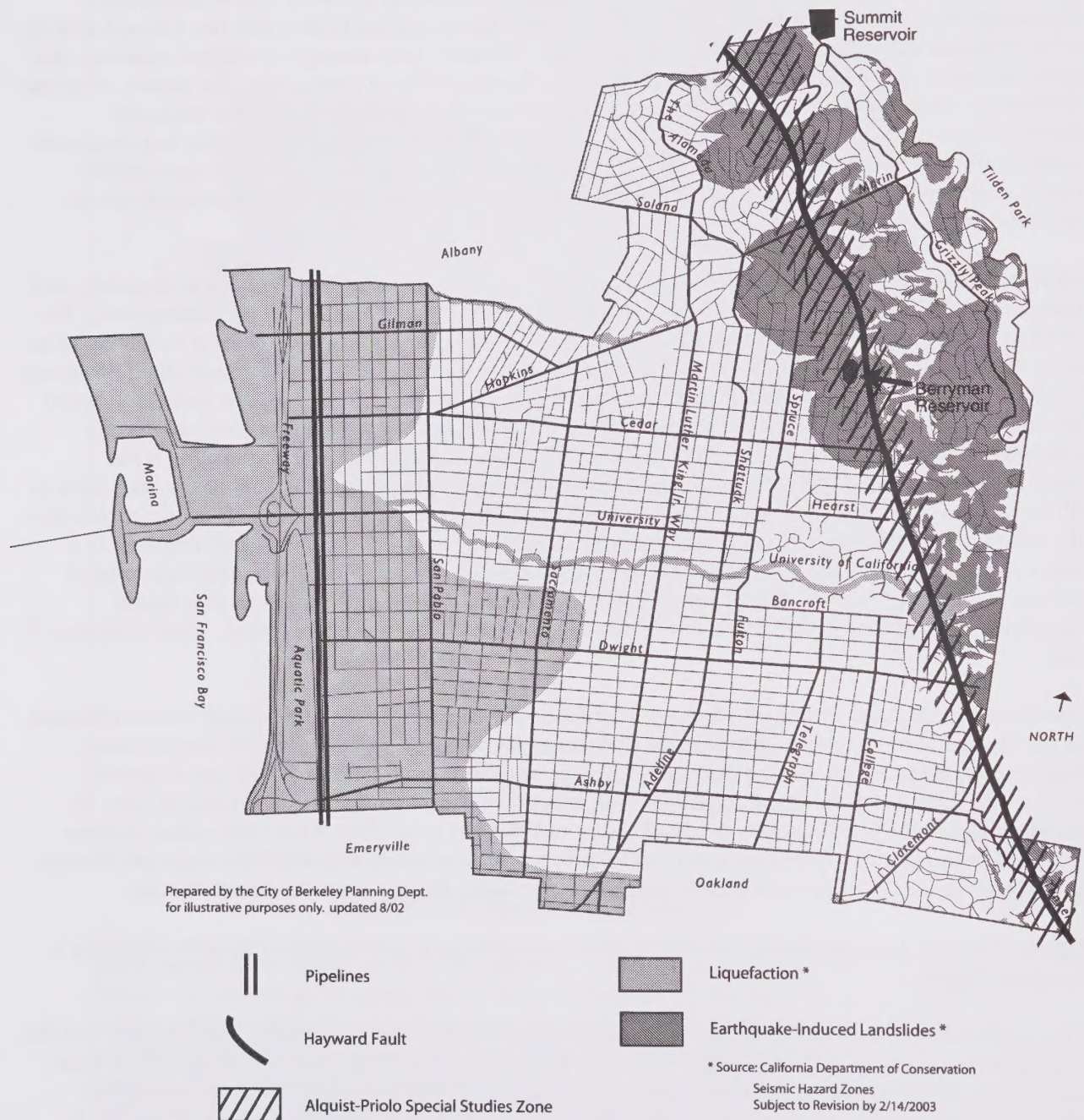
Fire often accompanies earthquake damage. Fire following an earthquake is a particular concern because of the likelihood of numerous simultaneous ignitions, broken mains, and demands on fire personnel. Ruptured or disrupted gas service lines and mains, power lines, water heaters, wood, gas or electric stoves, and other gas or electrical appliances and equipment cause most earthquake-induced fires. As demonstrated in the San Francisco Marina District in 1989 and in the 1995 Kobe earthquake, modern cities are vulnerable to devastation from multiple fires, which, coupled with road blockages and damage to the water delivery system, can greatly exacerbate the initial damage from the seismic forces.

Figure 13 shows the approximate location of areas vulnerable to a combination of hazards caused by a major earthquake.

The combination of earthquake-induced ground shaking, potential lateral spreading, fault rupture and fire is of particular concern in the residential hill areas of Berkeley east of the Hayward Fault line. In these areas, many homes are on steep slopes, and access to many of these areas is difficult for emergency vehicles due to narrow, winding roads, some of which are cul-de-sacs. The eastern edge of the city is heavily wooded, which provides fuel for earthquake-induced fire. These areas are entirely residential and do not have easy access to any City emergency services. If the northern Hayward Fault were to rupture, many of the roads leading from the City's emergency service facilities (police and fire stations) to these residential areas could be made impassible and the areas would then be isolated. There is currently only one fire station east of the Hayward Fault and it is not capable of servicing this whole area without assistance in the event of a major disaster. Other hazards initiated by ground shaking include hazardous material releases and inundation due to reservoir failure. Problems can be exacerbated further and

emergency response hindered due to the loss of critical facilities, and disruption of transportation and communication links.

Figure 13: Multiple Earthquake-Related Hazards



Seismic and Geological Vulnerabilities

In the event of an earthquake, people may be killed by the failure of buildings, transportation structures, or utilities, or by associated hazards such as fire, hazardous material releases, and possible inundation due to dam failure or flooding.

Hazardous Buildings - Buildings constructed before building codes were in effect, and buildings built to earlier building codes, are the most likely to suffer serious damage. As illustrated by the 1994 Northridge earthquake, even newer buildings are vulnerable where poor construction, workmanship, and/or maintenance are present. The Association of Bay Area Governments estimates that 13,372 units in Berkeley will be uninhabitable after a major earthquake, resulting in a total shelter population of 8,530. Commercial buildings, utilities, and public roads will be destroyed or disabled. Local businesses will be disrupted and potentially permanently altered. Many businesses may not be able to recover financially from the physical damage and the loss of sales revenue during the recovery period.

In a disaster, the most vulnerable buildings include: unreinforced masonry (URM), concrete frames, tilt-up buildings built before the mid-1970s, and buildings with soft stories. Additionally, buildings with termite damage, dry rot, poor construction quality or other structural conditions can further exacerbate seismic vulnerability, even if the structure was properly designed.

In 1986, Senate Bill 547 required cities to create an inventory of URMs and to develop a mitigation program. In 1989 the city compiled an inventory of URM buildings. Then in 1991, the City adopted an ordinance mandating that URM buildings built before 1956 (except for residential buildings with fewer than five units) be posted immediately with a warning and seismically retrofitted to certain "performance standards" by deadlines based on the risk category assigned each building. The six risk categories are based upon use and occupancy load. Buildings with the highest occupancy such as theaters, or structures housing essential services, are assigned to the highest risk categories and had the shortest deadlines for retrofit. Smaller buildings and buildings with lesser hazards, such as brick parapets, are assigned to the lower categories. A total of 727 properties containing potentially hazardous URM buildings were originally placed on the list. Of those, 230 properties remain on the URM list with deadlines for all except category VI having now passed. Starting in FY 2001, the City has targeted bringing the remaining buildings into compliance, with the higher-use buildings as a priority.

Buildings with "soft" stories (open or irregular structural designs that lack lateral strength), structures made from non-ductile concrete, and buildings improperly anchored to their foundations are highly susceptible to damage. Residential uses are threatened particularly by soft story conditions because of parking below multi-unit buildings and by homes built on cripple walls and those not anchored to their foundations. Non-ductile concrete buildings are common in Berkeley's commercial and industrial areas.

Utilities - Water, gas, storm, and wastewater mains and pipes, electrical systems, and telecommunications are vulnerable to damage. Especially at risk are systems that have non-ductile pipes, or systems located in areas subject to ground failure. Overhead power lines may fall as a result of severe ground shaking, blocking streets for emergency access and evacuation, creating safety hazards, causing fires, and further complicating communication and emergency response.

Transportation - Public roads on vulnerable soils such as Interstate 880, which is constructed on landfill; streets in the hills built on historic landslide areas; as well as overpasses, bridges, and railway and port facilities are highly vulnerable to earthquake-induced ground shaking.

Fire Hazards and Vulnerabilities

The City of Berkeley faces an ongoing threat from urban and wildland fire. Susceptibility to fire is heightened due to Berkeley's dense development pattern, characterized by older structures including high rise buildings, multi-storied residential units, and a variety of warehouse, manufacturing, and commercial properties. Berkeley also faces a significant wildland fire danger along its hillsides where the wildland and residential areas interface. Wildland fires can result from both human activity and natural causes. Once ignited, these fires can be difficult to contain. The risk of fire is most common during the dry months of May through October, and can become extreme when the warm, dry Diablo winds blow out of the northeast. When the winds blow strongly, fires occurring in the densely vegetated hill areas are

extremely difficult to control. A wildfire can move with breathtaking speed, down from the ridge in 30 minutes, expanding to one square mile in one hour, and then consuming hundreds of residences in a day. In the Berkeley and Oakland Hills there have been 14 wildland fires since 1923, which collectively have burned 9,000 acres and destroyed more than 3,500 structures.

On September 17th, 1923, a fire started in Wildcat Canyon, just over the ridge from Berkeley. It was a warm day, with a strong northeast wind, which blew the flames up over the ridge into northeast Berkeley. Firefighters were able to do little to slow the fire as flying embers spread it rapidly from block to block. By the time the winds finally changed in the late afternoon, the fire had burned all the way to the northern edge of the University campus and as far west as Shattuck Avenue. Several thousand people were homeless, and 584 homes were destroyed. Had the winds not shifted, the fire could have burned to the Bay.

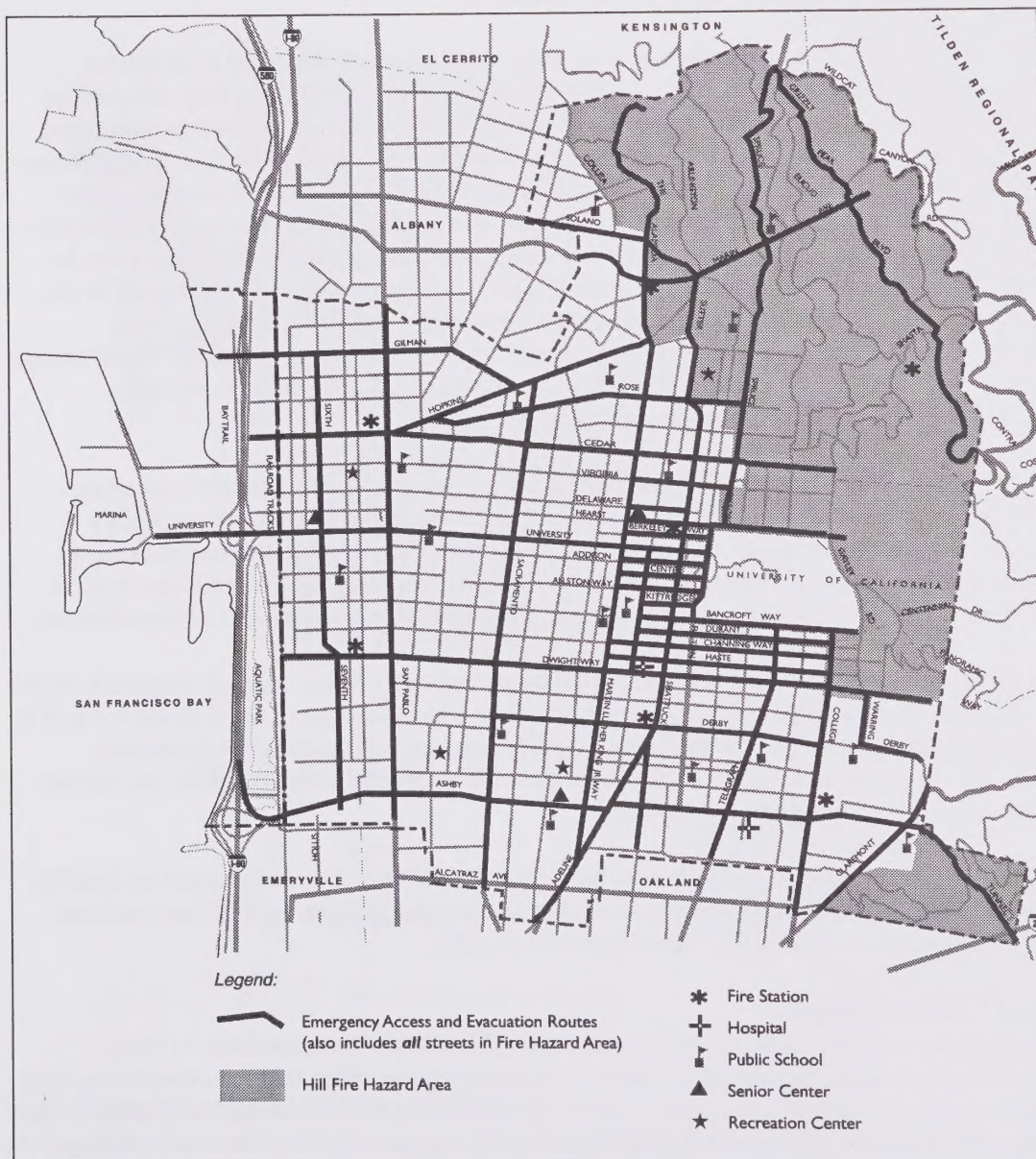


Figure 14. Hazardous Hill Area, Fire Station Locations and Evacuation Routes

Because of increased development and vegetation growth in the hills, the fire threat continually increases. Abundant dead brush and vegetation, and non-fire-resistant building materials, fueled the 1991 firestorm, which ignited in the Oakland Hills. The combination of fuel, drought, hot and dry weather, wind conditions, poor accessibility, and insufficient water pressure in some areas proved devastating. The fire destroyed 62 homes in Berkeley and more than 3,000 homes in Oakland, consuming one house every 11 seconds in the first three hours. Twenty-five people lost their lives in the fire.

In the aftermath of the 1991 Fire, the City established the Hill Hazardous Fire Area District. The purpose of the District was to expand inspection programs, reduce excess vegetation, and educate residents about the special needs for vegetation management and fire prevention for people living in the urban/wildland interface. Hazardous fire area inspections are conducted annually by fire companies, between May and September. Vegetation removal programs, including the chipper and debris box programs, continue with funding provided by a surcharge on the refuse bills for residents in the hill area. In 1997, the City Council-approved assessment district in the Berkeley hills area ended; however, the danger from a wildfire has not. The continued commitment of the residents to a fire-safe area is critical.

Figure 14 shows the location of the Hill Hazardous Fire Area and the Emergency Access and Evacuation Routes established in the General Plan Transportation Element. (*Also see Transportation Policy T-28.*) All streets in the Fire Hazard Area are considered to be evacuation routes, as are the public paths that make up Berkeley's pathway network system (*see Figure 6, Transportation Element*).

Efforts are currently underway to construct a new fire station for the hill areas east of the Hayward fault. The objective of the current efforts is to develop a facility that will be able to respond to major disasters in these neighborhoods.

The location of the residential hill areas adjacent to regional parklands poses two additional fire prevention challenges. First and foremost, these parklands are heavily wooded providing ample fuel for a major wildland fire that can easily move into the Berkeley neighborhoods. Second, these areas are managed by the East Bay Regional Park District and serviced by the California Department of Forestry (CDF). Therefore coordination between the City of Berkeley and the adjacent jurisdiction is essential. Major issues that must be addressed are: 1) the benefits and implications of establishing and maintaining a firebreak between the wildland areas and the residential areas of Berkeley, and 2) joint response plans to fires in the area.

To fight fires effectively, adequate water pressure, supply, and delivery must be available. While water pressure is generally adequate throughout the city, fire-fighting capability can be hampered by supply and pressure limitations in particular water pressure zones. Moreover, an earthquake can easily sever water lines in the area. Several areas in the East Bay Hills can produce flame fronts that cannot be controlled with water from hydrants, fire truck hoses, or helicopter buckets, or with retardant drops from air tankers, until the winds die down in the late afternoon. Compounding this threat is the fact that evacuation can be difficult, slow, and dangerous due to winding and narrow roadways in the hills.

A secondary hazard is the potential for massive land sliding on fire-burned hillsides when heavy rains follow firestorms. Extreme heat from firestorms can create an impermeable soil layer beneath the surface. When heavy rains fall on denuded slopes, soil saturation occurs rapidly and the danger of landslides in susceptible areas is great, posing a risk to life, structures, and infrastructure.

In conclusion, areas of the city that are most vulnerable to fire hazards are:

Hillside Residential Areas Near and Adjacent to Wildland Areas - There are approximately 750 residences in vulnerable hillside areas in Berkeley.

Structures Built with Combustible Materials - The presence of wood siding, shake roofs, and other combustible materials heightens the vulnerability of residences and structures in the hills area.

Areas of Heavy or Unmanaged Vegetation - Dense vegetation increases the danger to people and structures from fire. The fuel load is particularly high in the Berkeley hills.

Circulation and Utilities - As demonstrated in the 1991 firestorm, narrow winding roads can become inaccessible and unusable for evacuation or for emergency equipment and personnel. Aboveground utility poles can exacerbate problems.

The Water Delivery System - In an emergency the age of the existing water supply system may cause the system to be unreliable.

Landslide Hazards and Vulnerabilities

In Berkeley, the potential for landslide from seismic activity or heavy rain is high in the hill areas and along remnant stream banks in some parks and neighborhoods. Landslide-prone areas include several large residential areas below Grizzly Peak Boulevard, south of Marin Avenue and east of The Alameda.

Geologists estimate that 45 to 65 percent of the landslide-susceptible areas will experience large, coherent movement in a major earthquake. The range of movement depends upon whether slopes are wet or dry when ground shaking occurs. Movement could range from a few inches to 20 feet. Efforts to minimize landslide potential occur as part of the development review process and can involve grading, soil strengthening, structural engineering components, and landscape methods (all of which are subject to City inspection services). Most of the Berkeley hillside development, however, predates current best practices and codes and therefore remains vulnerable to the threat of landslides.

Landslides due to slope failure are most frequent in high rainfall periods. The probability is greater in steeply sloped areas, although landslides may occur on slopes of 15 percent or less. Slope steepness and nature of underlying soils are the most important factors affecting the landslide hazard. However, factors such as the surface and subsurface drainage patterns, improper grading, alteration of drainage patterns, and removal of vegetation can also increase landslide hazards.

Areas of the community that are vulnerable to landslide hazards include hundreds of homes, roads, sidewalks, underground utilities (water, wastewater, etc), and aboveground utilities (electricity, telecommunications) that are situated on historic landslide areas. Several collector streets that are critical for emergency access and evacuation are located in areas historically susceptible to landslides - including sections of Arlington, Marin, Spruce, Euclid, Shasta, La Loma, and Keith.

Flood Hazards and Vulnerabilities

The flood potential in Berkeley is a relatively mild threat in comparison to seismic, landslide, and fire risks. Flooding events may occur as flash floods, local storm drain blockages, or tidally influenced events. Seismically induced reservoir failure and inundation is unlikely, but such an event should be considered. There exists some potential for wave damage along the Berkeley waterfront, but tsunami waves (triggered by earthquakes, underwater landslides, or volcanic eruptions) have historically resulted in little damage around San Francisco Bay. Figure 15 shows the approximate location of flood hazards in Berkeley.

Areas of the city vulnerable to flood hazards include:

Strawberry Creek - Flowing from the hills through the University campus, Strawberry Creek poses a flood hazard for the area immediately west of Oxford Street, as well as to parts of the campus. The North Fork of Strawberry Creek in particular, which captures a significant amount of urban runoff, is subject to

flash flood conditions in periods of intense rainfall. A number of creeks in Berkeley have significantly flooded in recent years.

Figure 15: Flood and Tsunami Prone Areas

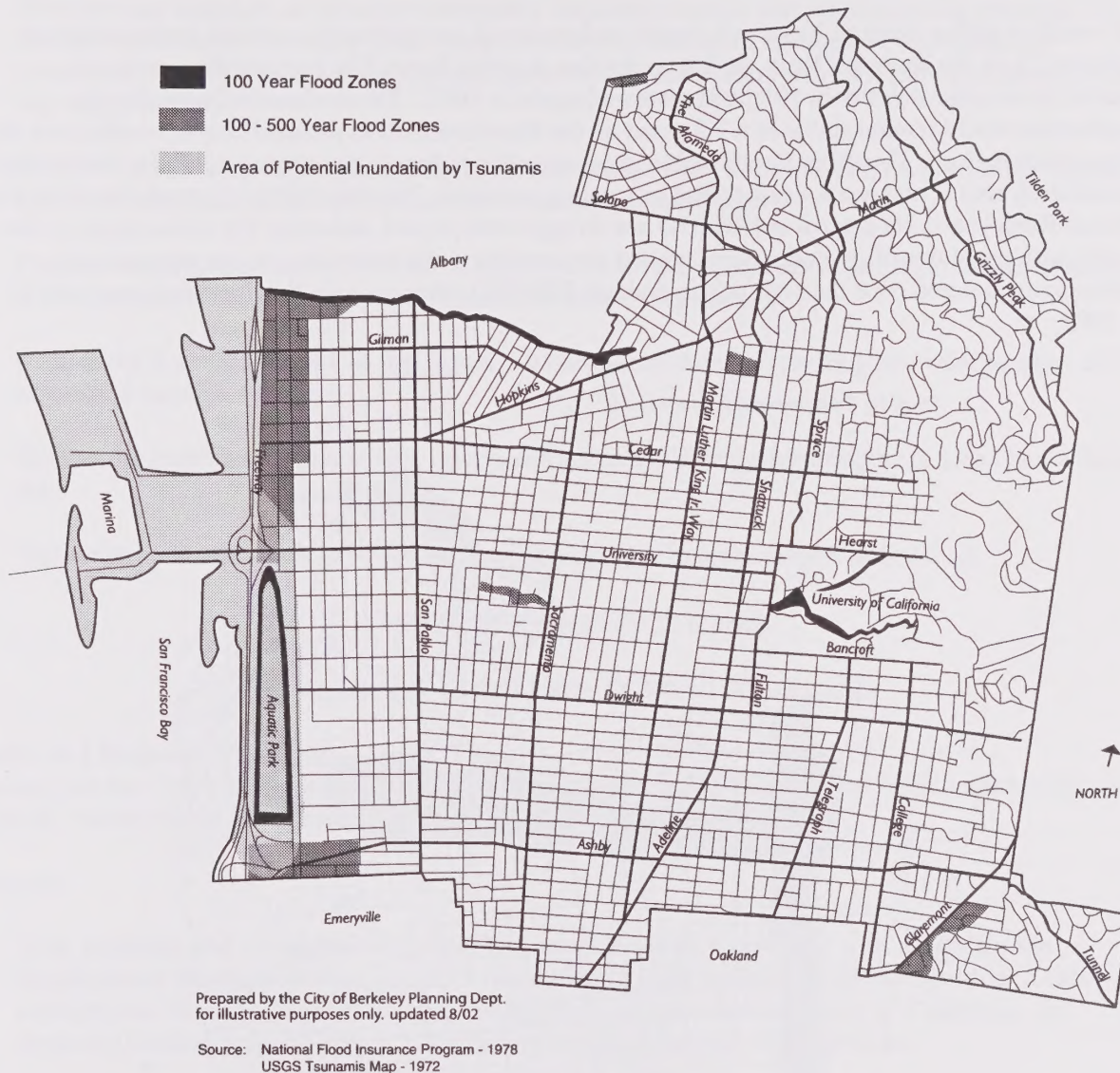


Figure 15. Flood Hazards

Tidal Basin Areas - The Tidal Basin Areas west of Third Street between Codornices Creek and Gilman Street, and Aquatic Park between University Avenue and Ashby Avenue, are potentially vulnerable to flooding and tsunami.

Summit and Berryman Reservoirs - Properties below major water reservoirs in the hills may be subject to flooding in the event of an earthquake-induced rupture of the reservoir. Reservoir inundation is caused by structural failure, possibly from an earthquake or rain overflow. Inundation could affect those areas downhill, or west, of the Berryman and Summit Reservoirs. The Summit Reservoir, located on the Berkeley/Kensington border, would affect areas along Berkeley's border between Grizzly Peak Boulevard and The Alameda. The Berryman Reservoir, adjacent to Codornices Park, could potentially inundate a

large portion of the city, including neighborhoods near Hopkins and Cedar Streets and in West Berkeley, particularly at Aquatic Park and other areas east of the I-80 freeway.

Figure 16 shows the approximate areas of the city that could be vulnerable to inundation from a reservoir failure.

The 37-million-gallon Summit Reservoir may be vulnerable to inundation if a seismic event exceeded magnitude 7.5 on the Hayward Fault, or 8.5 on the San Andreas Fault. The Summit Reservoir was evaluated for seismic stability in 1985 and reviewed again in 1992.³ The evaluation found that the embankments would remain stable in a 7.5 event on the Hayward fault or a magnitude 8.5 earthquake on the San Andreas Fault. Therefore flooding due to catastrophic failure is considered unlikely. Nonetheless, the inundation area is mapped for notice and evacuation purposes. The possibility of inundation from the Berryman Reservoir is short-term as EBMUD has an approved project underway for replacement of the reservoir with one 4.6-million-gallon steel tank or two smaller tanks depending on the geotechnical conditions encountered once the reservoir is drained. EBMUD plans to drain the Berryman reservoir in June 2002.

Figure 16: Reservoir Inundation Hazard

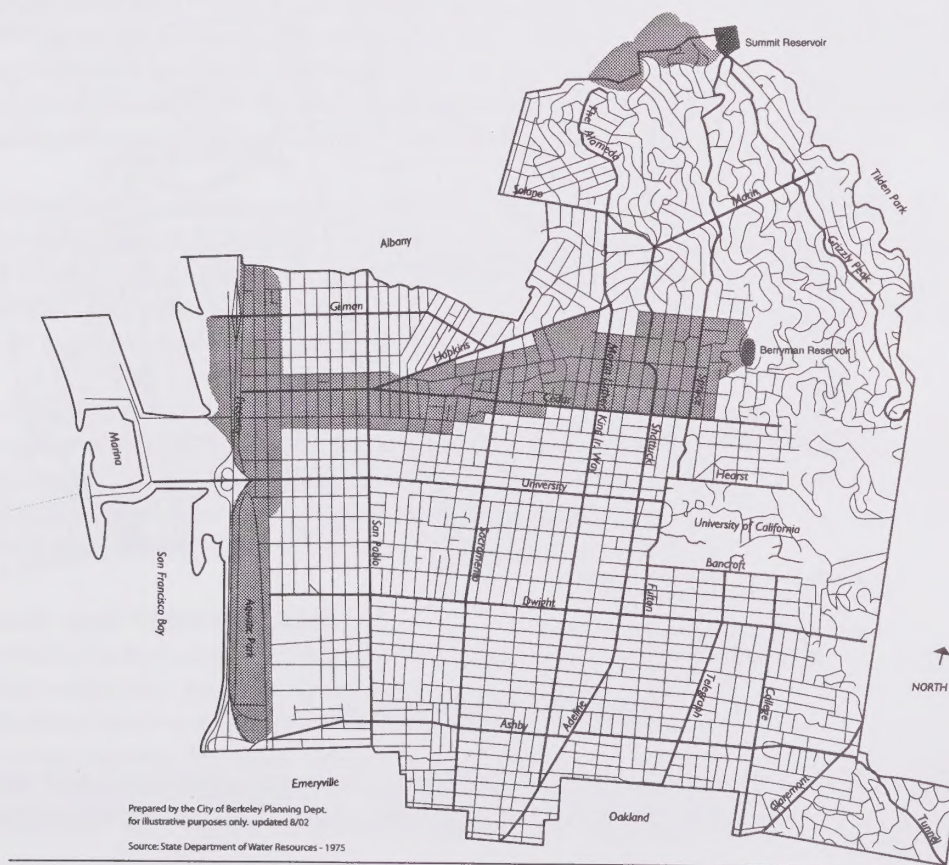


Figure 16. Reservoir Inundation Hazards.

³ Analysis was reviewed and approved by the California Division of Safety of Dams, which has jurisdiction over the facility.

ELEMENT OBJECTIVES

The policies and actions of the Disaster Preparation and Safety Element are intended to achieve the following six objectives:

1. Establish and maintain an effective emergency response program that anticipates the potential for disasters, maintains continuity of life-support functions during an emergency, and institutes community-based disaster response planning, involving businesses, non-governmental organizations, and neighborhoods.
2. Improve and develop City mitigation programs to reduce risks to people and property from natural and man-made hazards to socially and economically acceptable levels.
3. Plan for and regulate the uses of land to minimize exposure to hazards from either natural or human-related causes and to contribute to a "disaster-resistant" community.
4. Reduce the potential for loss of life, injury, and economic damage resulting from earthquakes and associated hazards.
5. Reduce the potential for loss of life, injury, and economic damage resulting from urban and wildland fire.
6. Reduce the potential for loss of life and property damage in areas subject to flooding.

POLICIES AND ACTIONS

EMERGENCY PREPAREDNESS AND RESPONSE

Policy S-1 Response Planning

Ensure that the City's emergency response plans are current and incorporate the latest information on hazards, vulnerability, and resources. (*Also see Transportation Policy T-28.*)

Actions:

- A. Test, maintain, and revise the City's disaster response plan(s) consistent with the California Standardized Emergency Management System (SEMS) and establish clear coordination of roles and expectations with the County Office of Emergency Services, the University of California, the Berkeley Unified School District, neighboring jurisdictions, and other agencies.
- B. Designate and publicize evacuation routes, shelter locations, and emergency service locations (hospitals, fire stations, etc.) within the city and sub region. Include existing city pathways and other pedestrian right-of-ways in the published designated evacuation route map. Prioritize undergrounding of utilities for designated routes to make them more reliable.
- C. Designate and publicize emergency access routes with the city and sub region. Prioritize undergrounding of utilities to enhance reliability of emergency access routes and minimize conflagration hazards from fallen power lines.
- D. City departments shall conduct an appropriate level of staff training addressing emergency readiness, evacuation routes, first aid, staging areas and procedures, continuity of services, and response and recovery operations and including CERT training for all City employees.

- E. Establish facilities and provide equipment that may be used by citizens during the first days immediately after a major disaster until such time as City services become available.
- F. Prepare an annual report in consultation with the Fire Safety Commission and other relevant Commissions and Boards on the state of preparedness in Berkeley.
- G. Conduct coordinated planning and training between local and regional police, fire, and public health agencies in preparation for natural and man-made disasters, and ensure that the City's disaster response communication technologies are compatible with regional agency communication technologies.

Policy S-2 Neighborhood Preparation and Education

Continue to provide education, emergency preparedness training, and supplies to the community at the neighborhood level to support neighborhood- and community-based disaster response planning.

Actions:

- A. Enhance the Community Emergency Response Training (CERT) program to provide disaster preparedness training to the community at the neighborhood level. Work with the Berkeley Unified School District to develop and implement a CERT curriculum.
- B. Work with neighborhood associations and other community groups to organize disaster preparedness and other training activities on a block-by-block basis.
- C. Map existing neighborhood disaster preparedness groups and seek to fill gaps with new or extended groups. Establish central locations within each neighborhood for aid and information exchanges.
- D. Continue to enforce restrictions on illegal window bars.
- E. Explore implementation of a siren system, combined with reverse calling and other methods as a way to warn neighborhoods about problems.

Policy S-3 Public Information

Publicize disaster preparedness efforts (such as CERT) and expand public awareness of specific hazards and risks by making available all relevant information including mapping and reports on various hazards, information on vulnerability and risk reduction techniques, evacuation routes, and emergency services, and information on financial and technical assistance resources.

Actions:

- A. Continue to provide emergency preparedness and planning information to citizens through libraries, the City website, radio, and other locations.
- B. Explore possible programs that would enable, encourage, or require landlords, property managers, and realtors to provide information to new tenants and new homeowners about emergency preparedness, evacuation routes, and home safety.

Policy S-4 Special Needs Communities

Continue to work with the social service community to ensure the safety of special needs populations.

Actions:

- A. Encourage partnerships between public safety, public health, and community services providers to develop and implement community safety and community service programs.
- B. Work closely with area hospitals to encourage hospital preparation and coordinate disaster recovery plans.

Policy S-5 The City's Role in Leadership and Coordination

Ensure that the City provides leadership and coordination of the private sector, public institutions, and other public bodies in emergency preparedness.

Actions:

- A. Promote information sharing and seek to coordinate and implement collaborative mitigation and response planning and information gathering efforts with neighboring cities, Alameda and Contra Costa Counties, the East Bay Regional Park District, other agencies, non-profit organizations, businesses and industries, educational institutions, and residents.
- B. Promote information sharing and seek to coordinate and implement collaborative mitigation and response planning and information gathering efforts.

Policy S-6 Damage Assessment

Establish and maintain a rapid damage assessment capability.

Action:

- A. Formulate and adopt damage assessment protocols, and train appropriate inspection and other personnel to implement these protocols.

Policy S-7 Emergency Water Supply

Protect life and property in the event of an earthquake by evaluating alternate drinking water and fire-fighting water supply in the event of failure of the East Bay Municipal Utility District (EBMUD) water supply.

Policy S-8 Continuity of Operations

Provide for the continuation of City government and services following a major disaster.

Action:

- A. Establish plans including such aspects as emergency supplies sufficient to carry out assigned disaster responsibilities.

Policy S-9 Pre-Event Planning

Establish pre-event planning for post-disaster recovery as an integral element of the emergency preparedness programs of the City Council and each of the City departments.

Actions:

- A. Establish a framework and process for recovery planning that specifies roles, priorities, and responsibilities of various departments within the City organization, and that outlines a structure and process for policy-making involving elected officials and appointed advisory committee(s).
- B. Prepare a basic Recovery Plan that outlines the major issues and tasks that are likely to be the key elements of community recovery. Examine issues such as debris removal, provision of shelter, interim housing, restoration of services, interim business resumption facilities, protection of historic resources, standards for replacement of non-conforming structures and uses, and restoring neighborhood and community character.
- C. Integrate recovery planning as an element of the Community-Based Disaster Response Plan. Identify possible roles for community organizations, business representatives, and neighborhoods in the recovery process.

MITIGATION

Policy S-10 Sustaining Mitigation Initiatives

Improve public awareness and establish new public/private partnerships to implement mitigation initiatives in the community and region through programs such as Project Impact.

Actions:

- A. Analyze and evaluate the benefits of formulating City plans and programs for short-term and long-term mitigation.
- B. Perform appropriate seismic analysis based on current and future use for all city-owned facilities and structures.
- C. Request and encourage neighboring cities, other agencies, non-profit organizations, neighborhood and citizen groups, business organizations, and the University of California also to formulate and implement complementary mitigation action plans.

Policy S-11 Historic Structures

Encourage and support the long-term protection of historic or architecturally significant structures to preserve neighborhood and community character. (*Also see Urban Design and Preservation Policy UD-7.*)

Actions:

- A. Create incentives for owners of historic or architecturally significant structures to undertake mitigation to levels that will minimize the likelihood of demolition and maximize the ability to repair or avoid damage in the event of a natural disaster.
- B. Consistent with public safety and acceptable risk determinations, seek all feasible means to avoid demolition of historic or architecturally significant structures following a disaster by pursuing repair, rehabilitation, and preservation of structures, facades, or other features.

Policy S-12 Utility and Transportation Systems

Improve the disaster-resistance of utility and transportation systems to increase public safety and to minimize damage and service disruption following a disaster.

Actions:

- A. Support and encourage efforts undertaken by Caltrans, the East Bay Municipal Utility District, Pacific Gas & Electric, telephone and telecommunications companies, Amtrak, the Union Pacific Railroad, AC Transit, and the Bay Area Rapid Transit System to plan for and finance seismic retrofit and other disaster-resistance measures.
- B. Work closely with the utility companies to facilitate undergrounding of utilities.
- C. Urge the Public Utilities Commission, utilities, and oil companies to strengthen, relocate, or otherwise safeguard natural gas and other pipelines where they extend through areas of high liquefaction potential, cross potentially active faults, or traverse potential landslide areas, or areas that may settle differentially during an earthquake.

DISASTER-RESISTANT LAND USE PLANNING

Policy S-13 Hazards Identification

Identify, avoid and minimize natural and human-caused hazards in the development of property and the regulation of land use.

Actions:

- A. Maintain and make publicly available up-to-date hazard maps identifying areas subject to heightened risk from potential seismic hazards (including fault rupture, ground failure, ground shaking, and liquefaction), and fire, flood, landslide, and other hazards, such as toxic contamination and radioactive release.
- B. Improve the understanding of identified hazards and mitigation needs via area-specific studies such as microzonation studies.

Policy S-14 Land Use Regulation

Require appropriate mitigation in new development, in redevelopment/reuse, or in other applications.
(Also see Land Use Policies LU-4, LU-6, and LU-7.)

Actions:

- A. When appropriate utilize the environmental review process to ensure avoidance of hazards and/or adequate mitigation of hazard-induced risk.
- B. Require soil investigation and/or geotechnical reports in conjunction with development/redevelopment on sites within designated hazard zones such as areas with high potential for soil erosion, landslide, fault rupture, liquefaction and other soil-related constraints.
- C. Place structural design conditions on new development to ensure that recommendations of the geotechnical/soils investigations are implemented.

- D. Encourage owners to evaluate their buildings' vulnerability to earthquake hazards, fire, landslides, and floods and to take appropriate action to minimize the risk.
- E. Develop criteria for disaster-resistant land use regulations to ensure that new construction reduces rather than increases risk of all kinds.

Policy S-15 Construction Standards

Maintain construction standards that minimize risks to human lives and property from environmental and human-caused hazards for both new and existing buildings.

Actions:

- A. Periodically update and adopt the California Building Standards Code with local amendments to incorporate the latest knowledge and design standards to protect people and property against known fire, flood, landslide, and seismic risks in both structural and non-structural building and site components.
- B. Ensure proper design and construction of hazard-resistant structures through careful plan review/approval and thorough and consistent construction inspection.

Policy S-16 Residential Density in the Hills

Consider changes to the existing residential zoning in high-risk, residential areas, such as the Hill Hazardous Fire Area, to reduce the vulnerability of these areas to future disasters. (*See the Hill Hazardous Fire Area map on page S-10.*)

Actions:

- A. Consider zoning amendments to prevent future development, including the prohibition of new second units, in these areas or sites in these areas that are particularly vulnerable to natural disaster. (*Also see Housing Policy H-17.*)
- B. Consider fire safety, evacuation, and emergency vehicle access when reviewing secondary unit or other proposals to add residential units in these areas.

SEISMIC HAZARDS

Policy S-17 Residential Seismic Retrofitting Incentive Program

Maintain existing programs such as the Residential Seismic Retrofitting Incentive Program to facilitate retrofit of potentially hazardous structures.

Action:

- A. Expand public awareness of the program and take other actions to publicize and improve the effectiveness of the program.

Policy S-18 Public Information

Establish public information programs to inform the public about seismic hazards and the potential hazards from vulnerable buildings.

Policy S-19 Risk Analysis

Understand and track changes in seismic risk utilizing the best available information and tools.

Actions:

- A. Make maximum use of new available information to update maps that depict seismic hazards.
- B. Encourage building owners (including public sector agencies and local jurisdictions) to install instruments to record earthquake shaking in conjunction with the State's Strong Motion Instrumentation Program.

Policy S-20 Mitigation of Potentially Hazardous Buildings

Pursue all feasible methods, programs, and financing to mitigate potentially hazardous buildings.

Actions:

- A. Implement an effective Un-Reinforced Masonry (URM) Program to retrofit all remaining non-complying buildings. Work with owners of potentially hazardous buildings to obtain structural analyses of their buildings and to undertake corrective mitigation measures to improve seismic resistance or to remove the buildings and replace them with safer buildings.
- B. Create a program similar to the URM Program to reduce risks to people and property for all potentially hazardous buildings in Berkeley, with a priority on multi-family soft-story buildings.
- C. Consider requiring disclosure of potential hazards to occupants and residents of potentially hazardous buildings, along with mitigation and safety information and technical assistance.
- D. Investigate and adopt financial, procedural, and land use incentives and provide technical assistance for owners of potentially hazardous structures, such as soft-story buildings, to facilitate retrofit.
- E. Investigate and adopt retrofit guidelines and building codes that address structural and nonstructural mitigation to facilitate the retrofit of all types of existing buildings.
- F. Consider the formulation and adoption of a retrofit standard for single-family homes.
- G. Evaluate the ability of essential public facilities to maintain structural integrity and remain operational in the event of a strong earthquake. Those facilities unable to remain operational should be modified to bring them into conformance. Emergency guidelines shall be developed for buildings for which structural (and/or non-structural) modification and provision of back-up utility services are not feasible.
- H. Establish a prioritized program for seismic retrofit of the remaining unreinforced public structures.

FIRE HAZARDS

Policy S-21 Fire Preventive Design Standards

Develop and enforce construction and design standards that ensure new structures incorporate appropriate fire prevention features and meet current fire safety standards.

Actions:

- A. Strengthen performance review and code enforcement programs.

- B. Promote the installation of built-in fire extinguishing systems and early warning fire alarm systems.
- C. Maintain City standards for minimum width and vertical clearance, and ensure that new driveways and roadways meet minimum standards of the Uniform Fire Code or subsequent standards adopted by the City.
- D. Provide adequate water for fire suppression for new development in accordance with City standards for minimum volume and duration of flow.
- E. Establish criteria for the installation of gas shutoff valves in new and existing construction, to reduce the risk of post-earthquake fires.

Policy S-22 Fire Fighting Infrastructure

Reduce fire hazard risks in existing developed areas.

Actions:

- A. Develop proposals to make developed areas more accessible to emergency vehicles and reliable for evacuation. Consider restricting on-street parking, increasing parking fines in hazardous areas, and/or undergrounding overhead utilities. Require that all private access roads be maintained by a responsible party to ensure safe and expedient passage by the Fire Department at any time, and require approval of all locking devices by the Fire Department. Ensure that all public pathways are maintained to provide safe and accessible pedestrian evacuation routes from the hill areas. (*Also see Transportation Policies T-28 and T-52.*)
- B. Evaluate existing access to water supplies for fire suppression. Identify, prioritize, and implement capital improvements and acquire equipment to improve the supply and reliability of water for fire suppression. Continue to improve the water supply for fire fighting to assure peak load water supply capabilities. Continue to work with EBMUD to coordinate water supply improvements. Develop aboveground (transportable) water delivery systems.
- C. Provide properly staffed and equipped fire stations and engine companies. Monitor response time from initial call to arrival and pursue a response time goal of four minutes from the nearest station to all parts of the city. Construct a new hill area fire station that has wildland fire fighting equipment and ability.

Policy S-23 Property Maintenance

Reduce fire hazard risks in existing developed areas by ensuring that private property is maintained to minimize vulnerability to fire hazards.

Actions:

- A. Continue and expand existing vegetation management programs.
- B. Property owners shall be responsible for maintaining their structures at a reasonable degree of fire and life safety to standards identified in adopted codes and ordinances.
- C. Promote smoke detector installation in existing structures. Require the installation of smoke detectors as a condition of granting a permit for any work on existing residential and commercial buildings and as a condition for the transfer of property.

- D. Promote fire extinguisher installation in existing structures, particularly in kitchens, garages, and workshops.
- E. Require bracing of water heaters and gas appliances and the anchoring of houses to foundations to reduce fire ignitions following earthquakes.

Policy S-24 Mutual Aid

Continue to fulfill legal obligations and support mutual aid efforts to coordinate fire suppression within Alameda and Contra Costa Counties, Oakland, the East Bay Regional Park District, and the State of California to prevent and suppress major wildland and urban fire destruction.

Actions:

- A. Work with inter-agency partners and residents in vulnerable areas to investigate and implement actions to improve fire safety, using organized outreach activities and councils such as the Hills Emergency Forum and the Diablo Fire Safe Council.
- B. Establish close coordination with the California Department of Forestry to minimize the risk of wildland fire in the hill areas.

Policy S-25 Fire Safety Education

Use Fire Department personnel to plan and conduct effective fire safety and prevention programs.

Actions:

- A. Provide fire safety presentations and programs to local schools, community groups, and neighborhoods.
- B. Provide fire safety classes for high-occupancy institutional land uses, and commercial and industrial occupancies.
- C. Develop and implement a program to improve public awareness and disseminate appropriate warnings during times of high fire danger.

FLOOD HAZARDS

Policy S-26 Flood Hazards Mitigation

Reduce existing flood hazards in Berkeley.

Actions:

- A. Conduct periodic evaluation of reservoir safety and undertake actions necessary to mitigate the potential for dam failure.
- B. Continue to rehabilitate the City's storm drain system to reduce local flooding caused by inadequate storm drainage.
- C. Continue and significantly strengthen programs promoting storm drain maintenance by public and private sectors.

- D. Continue to work with the East Bay Municipal Utility District to complete the planned seismic improvements to the Berryman Reservoir.

Policy S-27 New Development

Use development review to ensure that new development does not contribute to an increase in flood potential.

Actions:

- A. Regulate development in the Waterfront flood-prone areas consistent with the Berkeley Waterfront Specific Plan.
- B. Ensure that new development conforms to requirements and guidelines of the National Flood Insurance Program (NFIP).
- C. Require new development to provide for appropriate levels of on-site detention and/or retention of storm water.
- D. Regulate development within 30 feet of an exposed streambed as required by the Preservation and Restoration of Natural Watercourses (Creeks) Ordinance. (*Also see Environmental Management Policy EM-27.*)

Policy S-28 Flood Insurance

Reduce the cost of flood insurance to property owners in the city.

Actions:

- A. Identify, prioritize, and implement activities necessary to qualify for a high Community Rating System (CRS) evaluation under the National Flood Insurance Program (NFIP).
- B. Update and revise flood maps for the city.
- C. Incorporate FEMA guidelines and suggested activities into City plans and procedures for managing flood hazards.

OPEN SPACE AND RECREATION ELEMENT

INTRODUCTION

The Open Space and Recreation Element establishes a policy framework and action program for the maintenance, improvement, and expansion of Berkeley's open space and recreational facilities. The Element addresses open spaces, including parks, playgrounds, recreation centers, swim centers, public gardens, the Berkeley Marina, public paths and stairways, landscaped medians, and sidewalks. (Creeks and trees are addressed more specifically in the Environmental Management Element.) Maps at the end of this Element show the city's current open space and recreational facilities, and neighborhood proximity to open space and recreational opportunities.

The provisions of this Element are closely related to those of the Land Use, Transportation, Environmental Management, and Disaster Preparedness and Safety Elements. The Element is informed by the following sources:

- Berkeley Master Plan, 1977
- The LMA Pathway Evaluation Report, 1993
- Draft Aquatic Park Master Plan, 1990
- Berkeley Waterfront Plan Amendment to the City's Master Plan and Berkeley Waterfront Specific Plan, 1986
- The Playing Fields Study, 1998
- Current planning efforts underway for the Berkeley Marina



POLICY BACKGROUND

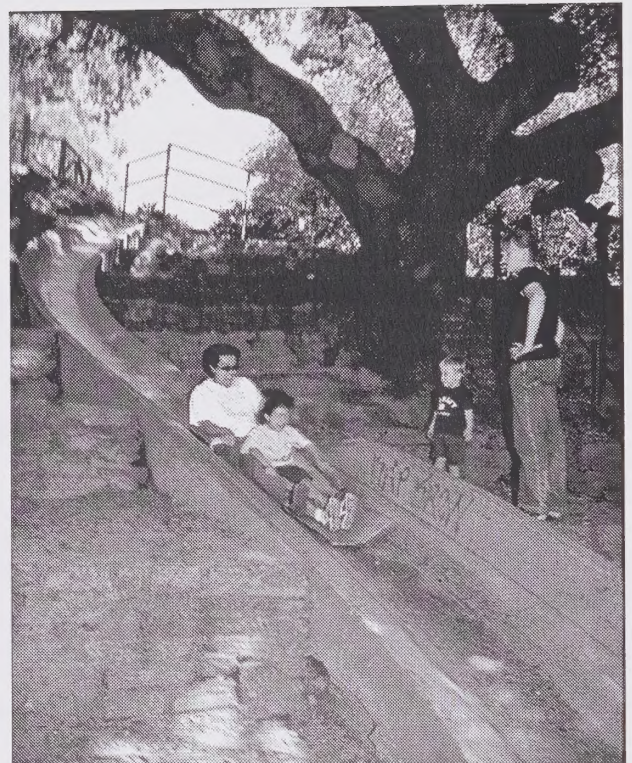
Few of Berkeley's public assets are as highly treasured and as heavily used as the City's open spaces. Berkeley's open spaces include public parks and recreational facilities, the Marina, public plazas, sidewalks, public paths and stairways, landscaped medians, the University of California campus, UC Botanical Gardens, Strawberry Canyon Recreation Facilities, the Ecological Study Area, the Berkeley Unified School District grounds, community gardens, creeks and other water features, and some privately owned outdoor spaces, such as plazas. Berkeley's parks and other open spaces serve as places of recreation and beauty, as community gathering places, as centers of ecological learning (e.g., Shorebird Nature Center and Strawberry Creek), and as reflections of our culture and history (e.g., the Ohlone Mural and the Rose Garden). The community also benefits from nearby regional parks owned and operated by the East Bay Regional Park District such as Tilden Regional Park and Claremont Canyon Regional Preserve, located on the eastern border of the city. A third regional park, Eastshore State Park, currently in the planning stages, promises to be a spectacular addition to the city's open space lands.

Berkeley's Parks and Waterfront Department maintains the City's open space through its Forestry, Landscape Maintenance, and Marina operations. It is the mission of the Department to enhance the beauty

and quality of life throughout Berkeley by providing safe, attractive, and well-maintained landscape areas, urban forests, recreational resources, and Marina and waterfront environments using ecologically sound practices, and to involve and engage the community in the implementation of this mission.

The Growing Parkland Supply

Since 1977, the City has made significant increases in the amount and type of open space available to Berkeley citizens. Berkeley has more than doubled its total parks acreage, from 110 to 230 total acres since 1977. As a result, the community achieved its 1977 Master Plan goal of two park acres per 1,000 people, more than double the acres-to-persons ratio of 1977. With the addition of the new Harrison Park, and the inclusion of the Bay Trail, Eastshore State Park, and Tilden Regional Park, the acres of parkland available to city residents increases to over 10 acres per 1,000 residents. If the 198-acre Claremont Canyon Regional Reserve is added, the figure increases to over 12 acres per 1,000 residents. The maps at the end of this Element show the location of the city's existing park and recreational resources and indicate a neighborhood's relative proximity to them.



Parkland Added Since 1977	
Park	Acreage
Bateman Park	0.37
Cedar - Rose Park	4.94
Cesar Chavez Park	90.00
Grizzly Peak Park	0.23
George Florence Park	0.51
Halcyon Commons	0.58
King School Park	1.72
Ohlone Park	9.80
Presentation Park	0.17
Solano-Peralta Park	0.12
Strawberry Creek Park	3.70
Thousand Oaks School Park	2.60
Harrison Park	<u>5.52</u>
Total added since 1977	120.26

The Berkeley community, the Parks and Recreation Commission, the Waterfront Commission, Adopt-a-Park groups, and the citywide Berkeley Partners for Parks play key roles in maintaining and enhancing the City's parks and open spaces. In 1974, the citizens of Berkeley passed Measure Y, a five-year property tax override to acquire, develop, and renovate parks.¹ Measure Y funded acquisition of over 19 acres of new parkland and enabled the City to develop new recreational facilities on property owned by the Berkeley Unified School District in neighborhoods that were underserved by park facilities. Under the original agreement, the City and the School District agreed to share maintenance responsibilities for several renovated School District recreational

facilities. Currently the City is responsible for the maintenance of Thousand Oaks School Park and Martin Luther King Jr. School Park and the district is responsible for maintenance at the Le Conte School, John Muir School, Washington School, Malcolm X School, and Rosa Parks School facilities. Many of the School District properties have been recently renovated, but historically the District has not been able to satisfactorily maintain these public facilities.

¹ Berkeley Municipal Code Section 7.08 *et seq.*

In 1986, the citizens of Berkeley passed Measure L, ensuring that all existing City open space would be preserved for open space use.² Also in 1986 the citizens of Berkeley passed Measure Q, establishing the waterfront as an area primarily for recreation and providing public access to the waterfront.³ Berkeley residents were instrumental in the subsequent acquisition of 170 acres on the Berkeley waterfront for the future Eastshore State Park, the recent reorganization of the City's Parks and Waterfront Department, the acquisition of the Santa Fe right-of-way in 1978, and the acquisition of the "Hearst Strip" and its development into Ohlone Park.

Challenge #1: Parkland and Facility Maintenance

The price of possessing such an extensive and diverse open space system is the cost of maintaining it. The greatest challenge facing the community over the next 20 years will be to secure adequate funding to care for existing open space resources. The City of Berkeley currently maintains 52 parks and associated buildings, parking lots, and play areas, 21 turf medians, 75 developed paths, 40 undeveloped paths, and 1,000 slips at the Berkeley Marina that together total over 300 acres of land.

The rising cost of maintaining the City's open space resources is due to several factors, including:

- A. Each new park or park improvement, such as a play structure, adds to the cost of maintaining the overall parks system.
- B. Children's play areas, tot lots and recreation opportunities for middle and high-school-age young people throughout the city need to be developed, improved, or replaced.
- C. Many of the playgrounds, ball fields, park equipment and grounds are beyond their expected useful life and require repair or replacement.
- D. Several new federal mandates establishing playground safety and ADA accessibility standards require facilities to be rehabilitated.
- E. Designated historically significant parks, such as the Berkeley Rose Garden and Civic Center Park, require significant restoration work.
- F. Maturing street trees and park landscaping require an ongoing cycle of removal and replacement. The Parks and Waterfront Forestry Unit plants more than 500 new or replacement trees each year.
- G. The City's restriction against the use of herbicides, pesticides, and gas-powered leaf blowers requires labor-intensive techniques to maintain parks and street medians.

The City's primary revenue source for maintenance of parks and open space is the Parks Tax. In 2000, the voters of Berkeley approved an increase in the Parks Tax to help cover the cost of maintaining the growing supply of parkland in Berkeley. By 2002, the Parks Tax is expected to generate over \$7.2 million annually. However, it is expected that these funds will be needed primarily for maintenance of planned and existing park facilities and will not be sufficient to cover building maintenance, lighting improvements, major capital improvements, or property acquisition. The Parks Tax is used for all City parks and street median maintenance and some capital improvements in parks (including some which are in the Marina Enterprise Zone, resulting in some overlap between the two funds). The Marina Enterprise Fund is used for all areas within the Marina Enterprise Zone, including for parks, open space, and street median maintenance in that zone. General funds supplement capital improvement projects in City parks and at the Marina.

Maintaining the Marina and waterfront infrastructure is crucial to the continued successful operation of these facilities. The nature of the capital improvement work at the Marina consists of both ongoing, routine maintenance such as replacement of pilings, roadways, restrooms, etc., and large-scale improvements such as dock replacement and dredging. Though the Marina Enterprise Fund generated

² Berkeley Municipal Code Section 6.42 *et seq.*

³ Berkeley Municipal Code Section 11.56 *et seq.*

approximately \$3 million in 2000, only about \$325,000 per year is available from the Fund for capital improvements to replace an aging infrastructure. The Marina Fund has historically been balanced by deferring capital improvement expenditures. The General Fund does not usually provide funding toward the capital needs of the Marina. The City is currently finalizing a Draft Marina Plan that establishes improvement priorities for the Berkeley Marina.

Challenge #2: Responding to the Changing Needs of the Community

In addition to the challenge of maintaining the growing supply of parkland, the community also faces the challenge of adapting or increasing its park and open space resources to meet changing needs and priorities. For example, due to Title 9; to the increasing participation of girls in organized sports, and to mushrooming youth participation in soccer, softball, field hockey, and lacrosse; the demand for youth playing fields has greatly increased. Responding in part to these conditions, the City Council approved development of new playing fields at the Harrison Street site in West Berkeley in 1999.

Improving and expanding access to existing park facilities has also been identified as a major issue. Access to many of the City's largest park areas, such as Aquatic Park and the Waterfront, is often difficult for pedestrians, bicyclists, the disabled, and transit riders. Some parks and recreational facilities are not adequately accessible to the disabled. Recent improvements include improved pathways and signs directing people to and through Aquatic Park; disabled access improvements at a number of City facilities; the I-80 overcrossing (a pedestrian and bicycle bridge from Aquatic Park to the waterfront); and the recently reconstructed, fully accessible F and G docks at the Berkeley Marina. Active volunteer community groups are also working to rehabilitate and improve the historic pathway system in the hills, which would improve access to parks for hill residents and serve as a recreational pathway system, encourage walking rather than driving, and provide emergency evacuation routes.

There is also a growing demand for additional community gardening sites. There are currently 17 community gardens in Berkeley. The City owns five of the sites, the Berkeley Unified School District owns four, the University of California owns two, and the rest are owned by a variety of nonprofits and private organizations.

In summary, a number of needed open space and recreation facilities improvements have been identified:

- A. The supply of playing fields for youth sports needs to be improved and expanded.
- B. Children's play areas, tot lots, and recreation opportunities for middle-school and high-school age young people throughout the city need to be developed, improved, or replaced.
- C. The City's recreation centers are suffering from deferred maintenance and are in need of improvements.
- D. Skateboard parks.
- E. Aquatic Park improvements are necessary to reduce freeway noise, improve access, improve water quality, and address safety concerns.
- F. Several open space and recreation facilities, including certain facilities for the disabled (e.g., Therapy Pool), need access improvements.
- G. The historic public pathway network throughout Berkeley needs repair and rehabilitation.
- H. Additional space is desired for community gardens, farmers markets, and cultural events.
- I. There have been calls for changes to park facilities and enforcement of park rules to discourage the homeless from using City parks as a place to sleep, cook meals, and bathe.

Challenge #3: Funding the Community's Open Space and Recreational Priorities

Since adoption of the 1977 Open Space, Conservation and Recreation Element, funding for open space maintenance and improvement has become less dependable. In 1978, the voters of California passed

Proposition 13, which limited property taxes and resulted in dramatic decreases in park funding. Since the passage of Proposition 13, Berkeley has attempted to fund park improvements and park expansion through a variety of different funding mechanisms that combine local, State, and Federal funding sources. Although the City has been able to make significant improvements to the overall park system with this patchwork of funding sources, funding for routine park maintenance and timely capital improvements to existing parks has often been inadequate. Most State and regional and Federal funding sources are not available for maintenance of existing parks.

Thus, although the City has been able to increase the supply of parkland through these sources, the increasing parkland supply, the loss of a dependable funding source for routine maintenance, and increasingly high usage by youth sports have often resulted in increasing maintenance costs and deferred maintenance. Ongoing maintenance of existing parks is funded from the Parks Tax (which replaced the City's Landscape Assessment District in 1997). This tax generates revenues through a property tax based on a rate approved by Berkeley voters. These funds are used almost exclusively for ongoing maintenance of City's parks, street medians, and street trees. To increase this maintenance funding source will require either an increase in the Parks Tax, which must be approved by the Berkeley voters, or an increase in General Fund expenditures, which will require a corresponding decrease in General Fund expenditures in some other services.

Due to the limited local funding for park maintenance and expansion, Federal and State grants and State or local bond measures are essential funding sources. Measure AA, a State bond administered by EBRPD, provided \$3.1 million in funding to the City for improvements in its parks during the 1990s. The last of the Measure AA funding was expended by 2000. The Public Employees Retirement System (PERS) refund, which was issued in 1994, enabled a \$1.5 million one-time funding for park improvements in the 1990s but is now fully committed. The State Gas Tax Fund provides money for roadway landscaping and irrigation improvements. The State Environmental Enhancement Mitigation Program (EEMP) grants fund highway development mitigation projects. Federal Community Development Block Grant (CDBG) money funds park improvements. In March 2000, the voters of California approved a new State Park Bond (Proposition 12), which will provide \$1.3 million for local park improvements as well as the opportunity for Berkeley to compete for additional grants for park improvements.

Policy Background Conclusions

Given the physical, social, and financial changes that have occurred since 1977, the General Plan Open Space and Recreation policies focus the community's future efforts toward:

- A. Maintaining existing park and open space resources, and identifying and securing additional financial resources for open space maintenance and capital improvements.
- B. Identifying and funding improvements and enhancements to existing parks that will address the changing needs of the community or enhance the ability of existing parks to meet the community's open space needs.
- C. Providing new parks or facilities for those segments of the community that are currently underserved, and identifying and securing additional financial resources for open space expansion.
- D. Supporting and encouraging citizen involvement in the planning and maintenance of the city's open space resources.

ELEMENT OBJECTIVES

The policies and actions of the Open Space and Recreation Element are intended to achieve the following three objectives:

1. Preserve, maintain, and repair the city's existing open space and recreational resources and facilities.

2. Expand open space and recreational resources to meet the evolving open space and recreational needs of all segments of this community through land acquisitions and improvements.
3. Increase funding for parkland, recreational facilities, and open space maintenance, improvement, and expansion.

POLICIES AND ACTIONS

PRESERVATION, MAINTENANCE, AND REPAIR

Policy OS-1 Preservation

Existing open space and parks shall be maintained and preserved for public park and open space use.

Measure L, passed by the Berkeley voters in 1986, requires a vote of the people to use or to develop a public open space or park for any purpose other than public park or open space, unless a State of Emergency has been declared.

Action:

- A. Consider revisions to the Zoning Ordinance to include open space zoning districts for all designated open space areas in the city.

Policy OS-2 Maintenance, Repair, and Enhancements

Within the context of open space resource allocations, give highest priority to maintaining and improving the City's existing network of open space and recreation facilities.

The City's extensive open space network requires ongoing maintenance. Due to funding constraints, required maintenance has often been deferred, which results in higher maintenance and replacement costs. Maintenance of existing resources consists of; ongoing maintenance (upkeep), restoration of resources (repair), and improvements to maximize or improve utilization of existing facilities (improvements).

Actions:

- A. Repair recreation centers and swim centers.
- B. Continue to repair or replace unsafe or inaccessible play equipment.
- C. Restore the network of public paths and historic street features, such as gateways, lighting, and stairways.
- D. Improve access for the disabled to park and open space facilities.
- E. Regularly resurface basketball and tennis courts.
- F. Regularly maintain and restore park landscaping.
- G. Where appropriate, add lights to existing sports fields and improve drainage, where necessary.

- H. When available and financially feasible, acquire small amounts of property adjacent to existing public facilities to improve their utility.
- I. Improve enforcement of park use rules and regulations.
- J. Establish a plan for maintaining the existing infrastructure at the Berkeley Marina, including maintenance and replacement of docks, piers, bulkheads, dry dock storage areas, restrooms, and utility systems (water, sewage, electricity etc.), and dredging to maintain adequate marina water depth.
- K. Establish a funding plan that prioritizes repair and maintenance of existing open space and recreational facilities.

Policy OS-3 Volunteerism

Encourage community involvement and volunteerism in park and open space maintenance and improvement as a means to leverage local funds and improve park and open space.

Community involvement in the creation and maintenance of our parks is an important component of this Open Space and Recreation Element. Berkeley's level of neighborhood park activism is high and continues to grow.

Actions:

- A. Continue to encourage and support the Parks and Open Space Mini Grant Program and the Adopt a Park Program.
- B. Continue to encourage public-private partnerships to develop and maintain public playing fields and other open spaces and recreational facilities.

Policy OS-4 Working with Other Agencies

Work with the Berkeley Unified School District, the University of California, the East Bay Municipal Utility District, and the East Bay Regional Park District to improve, preserve, maintain, and renovate their open space and recreation facilities.

Actions:

- A. Work with the University of California to identify and pursue opportunities for active-use (playing fields and courts) recreation space serving University students, particularly those students who are Berkeley residents in densely developed neighborhoods near the UC campus.
- B. Work with the Berkeley Unified School District to:
 1. Uphold the District's responsibilities with respect to maintaining jointly administered open space facilities such as the Measure Y parks.
 2. Identify ways to expand community use of the District's recreational facilities.
 3. Repair or replace the warm water pool.
 4. Investigate the feasibility of developing an additional on-campus swimming pool for use by students at Berkeley High and the general public.
- C. Work with the East Bay Municipal Utility District to increase opportunities for recreational use of District facilities.

EXPANSION OF OPEN SPACE AND RECREATIONAL RESOURCES

Policy OS-5 Community Participation

Encourage community involvement in every aspect of park and open space acquisition, design, and construction. *(Also see the Citizen Participation Element and Land Use Policy LU-5.)*

Policy OS-6 New Open Space and Recreational Resources

Create new open space and recreational resources throughout Berkeley.

Actions:

- A. Identify and prioritize open space expansion opportunities in neighborhoods that are underserved or not easily accessible to existing park and recreational facilities.
- B. Convene a community planning process to determine the final use of the remaining 14 blocks of City-owned land on the Santa Fe Right-of-Way. The community planning process shall consider public open space use (i.e., neighborhood parks, community gardens, and/or bicycle and pedestrian paths) as the highest priority use for the remaining vacant land and new affordable housing development as the next highest priority use.
- C. Develop joint-use agreements with other agencies such as the University of California, the Berkeley Unified School District, the Bay Area Rapid Transit District, and regional open space agencies to increase public access to public lands.
- D. Increase the supply of playing fields for youth sports.
- E. Establish spaces for art, music, and cultural activities. *(Also see Economic Development and Employment Policy ED-11, Urban Design and Preservation Policy UD-34, and Land Use Policy LU-19.)*

Policy OS-7 Serving Disadvantaged Populations

Within the context of open space resource allocations for new or expanded facilities, give high priority to providing additional facilities for populations that are disadvantaged or underserved.

Actions:

- A. Ensure that park planning processes consider the needs of low-income residents and residents with limited English.
- B. Ensure that park facilities and recreational activities are available at low costs to low-income residents and accessible by public transportation.
- C. Ensure that new open space, recreational, or cultural uses are compatible with the other vital community priorities for disadvantaged populations in Berkeley.

Policy OS-8 Community Gardens

Encourage and support community gardens as important open space resources that build communities and provide a local food source. *(Also see Environmental Management Policy EM-34.)*

Actions:

- A. Encourage neighborhood groups to organize, design, and manage community gardens particularly where space is available that is not suitable for housing, parks, pathways, or recreation facilities. Ensure that garden plots are allocated according to a fair and equitable formula.
- B. Require all publicly subsidized community gardens to maintain regular “open to the public” hours.
- C. Include community gardens in the planning for the Santa Fe Right-of-Way.
- D. Pursue community gardens in high-density areas with little private open space suitable for gardening.
- E. Increase support for community gardens through partnerships with other government agencies, particularly the Berkeley Unified School District, neighborhood groups, businesses, and civic and gardening organizations.
- F. Support school-based gardens and the involvement of youth in growing and preparing their own food.

Policy OS-9 Aquatic Park

Make Aquatic Park more accessible and usable as a neighborhood park. *(Also see Environmental Management Policies EM-28 and EM-45.)*

Actions:

- A. Install an effective and attractive noise and visual freeway barrier with landscaping for Aquatic Park.
- B. Remove the I-80 Potter Street on-ramp from Aquatic Park. *(Also see Transportation Policy T-29.)*
- C. Provide new safe pedestrian and bicycle railroad crossings, particularly at the southern end of the site, for improved access and circulation from nearby neighborhoods to Aquatic Park.
- D. Improve the bicycle path around the park.
- E. Encourage lessees of City buildings in the park to serve local youth.
- F. Explore opportunities to expand the park.

Policy OS-10 Access Improvements

Improve transit, bicycle, disabled, and pedestrian access to and between open space and recreation facilities, including regional facilities such as the Berkeley Marina, University of California open space, East Bay Regional Park District lands, the Eastshore State Park, and recreational facilities in other cities. *(Also see Transportation Policies T-29, T-42, T-47, and T-50.)*

Actions:

- A. Develop and maintain a citywide pedestrian and bicycle network that links open space and recreation facilities with bicycle and walking paths along tree-lined streets, publicly owned pathways, creeks, and other greenways.
- B. Maintain opportunities to eventually complete a Codornices Creek Greenway from the Bay to the hills.

- C. Increase shuttle and weekend transit service and weekend street closures to improve access to recreational and open space.
- D. Continue to improve pedestrian and bicycle access to the waterfront and Berkeley Marina.
- E. Attempt to establish a network of bicycle lanes and paths, physically separated from automobile traffic, to provide safe bicycle access especially for children to all schools, recreation sites, and city open spaces.

Policy OS-11 Public Spaces

Encourage innovative use of public plazas, sidewalks, and temporary street closures as open space or for recreational or cultural events. *(Also see Land Use Policy LU-20.)*

Action:

- A. Design and improve public streets, parking lots, and plazas to provide public spaces for street fairs, festivals and other gatherings.

Policy OS-12 Adjacent Uses

Ensure that land adjacent to parks is sensitively developed so that shade on the park is minimized, safe access is maintained, and views are not significantly reduced. *(Also see Land Use Policy LU-28 and Urban Design and Preservation Policies UD-31 and UD-32.)*

Policy OS-13 Waterfront Open Space and Recreational Facilities

Implement the 1986 Waterfront Plan policies to establish the waterfront as an area primarily for recreational, open space, and environmental uses, with preservation and enhancement of beaches, marshes, and other natural habitats. *(Also see Land Use Policies LU-43 and LU-44.)*

Actions:

- A. Work collaboratively with the East Bay Regional Park District, Albany, Emeryville, and Oakland to plan and complete the new Eastshore State Park as part of a continuous East Bay shoreline open space and recreational area.
- B. Assure that new development along the shoreline recognizes its unique location, considers sensitive natural resources, and maintains adequate shoreline access and views.
- C. Maintain Cesar Chavez Park as a City-owned park.
- D. Complete the Berkeley portion of the Bay Trail and connections to Cesar Chavez Park and links to the Berkeley Marina.

Policy OS-14 Regional Open Space

Coordinate with regional open space agencies such as the East Bay Regional Park District, neighboring cities, and private sector and nonprofit institutions to maintain, improve, and expand the region's open space network.

INCREASED FUNDING

Policy OS-15 Funding for Maintenance

Pursue innovative sources of local funding for open space and recreational facility maintenance and capital improvements.

Local funding for renovation and maintenance of existing facilities is limited. With the exception of the Marina, ongoing maintenance of existing parks is funded from the Parks Tax (which replaced the City's Landscape Assessment District in 1997). This tax generates revenues through a property tax based on a rate approved by Berkeley voters. These funds are used almost exclusively for ongoing maintenance of parks, street medians, and urban forest; therefore, funds for open space capital improvements or acquisition are limited.

Actions:

- A. Pursue donated funds and local corporate contributions.
- B. Ensure that new development provides for the open space and recreational facility needs of the future users of the development.
- C. Ensure that all proposals to add new parkland or expand facilities are accompanied by a realistic funding plan for maintenance and ongoing capital improvements.
- D. Consider voter-approved special bond or tax measures for parkland acquisition and maintenance.
- E. Pursue all available sources of local funding for Marina improvements and maintenance including berthing fees, ground leases, and funds generated by local nonprofits.
- F. Consider a range of public/private financing strategies for Marina maintenance and improvements. Strategies could include studying the feasibility of new, appropriately scaled, water-related, revenue-generating uses, or a City-owned commercial venue, sited so that it will not compromise public access or environmentally sensitive areas.
- G. Review existing fees for programs and services and where appropriate, raise fees to be compatible with those of other jurisdictions.
- H. To help ensure adequate funds for capital improvements at the Marina, the City should maintain a Marina capital reserve fund and whenever possible set funds aside each year for future improvements to Marina capital projects. Expenditures from the committed reserve should be made in consultation with the Waterfront Commission.

Policy OS-16 Outside Funding Sources

Actively pursue State and Federal funding and grant opportunities.

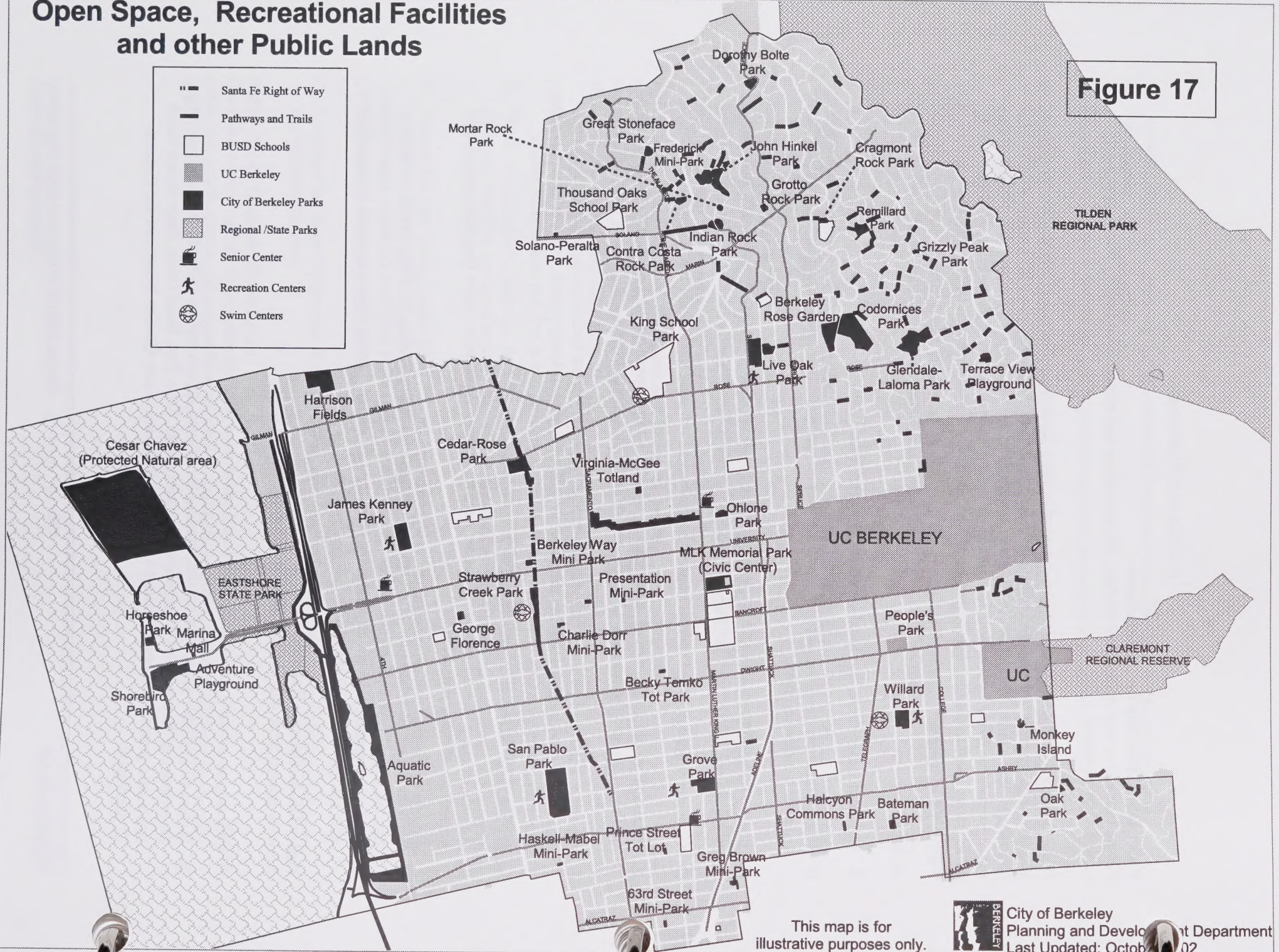
Action:

- A. Pursue all available sources of outside funding for Marina improvements and maintenance including Department of Boating and Waterways loans and grants, State Park Bond funds, State Water Bond funds, and grants from organizations such as the Regional Water Quality Board and the Coastal Conservancy.

Open Space, Recreational Facilities and other Public Lands

Figure 17

- Santa Fe Right of Way
- Pathways and Trails
- BUSD Schools
- UC Berkeley
- City of Berkeley Parks
- Regional /State Parks
- Senior Center
- Recreation Centers
- Swim Centers



This map is for illustrative purposes only.



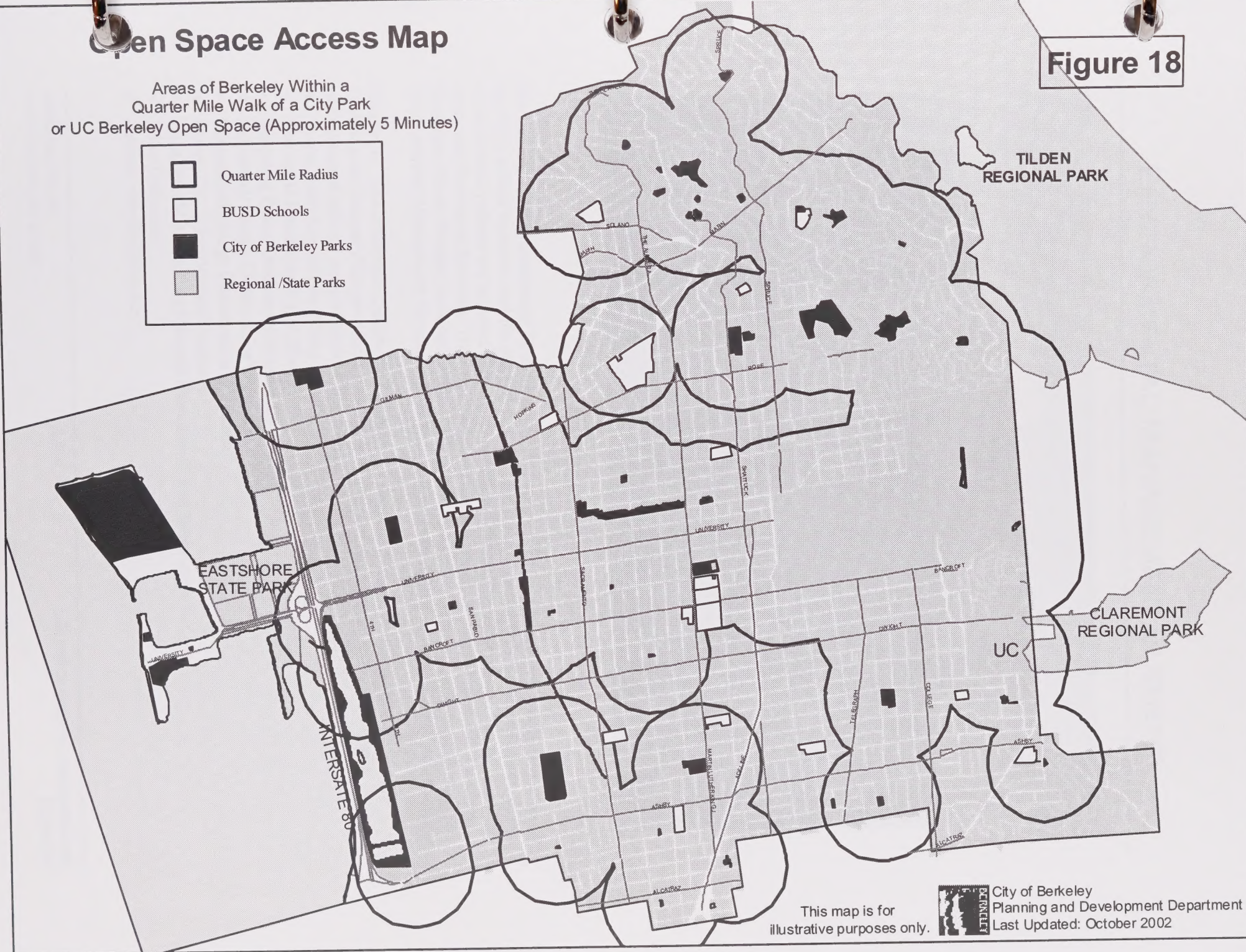
City of Berkeley
Planning and Development Department
Last Updated: October 2002

Open Space Access Map

Areas of Berkeley Within a
Quarter Mile Walk of a City Park
or UC Berkeley Open Space (Approximately 5 Minutes)

-  Quarter Mile Radius
-  BUSD Schools
-  City of Berkeley Parks
-  Regional /State Parks

Figure 18



ENVIRONMENTAL MANAGEMENT ELEMENT



INTRODUCTION

The Environmental Management Element establishes policies for the management and conservation of the city's natural resources and the protection of the community from hazards, pollution, and excessive noise. Related policies are included in the Transportation, Disaster Preparedness and Safety, and Open Space and Recreation Elements. The City's Source Reduction and Recycling Element and Household Hazardous Waste Element, each adopted in 1992, are incorporated by reference into this Element. The Environmental Management Element fulfills State requirements for the conservation and noise elements.

Chapter IV "Environmental Quality" in *Conditions, Trends and Issues: A Background Report for Updating the General Plan* provided a detailed description of the city's natural resources and environmental policies and programs, which include the:

- Source Reduction and Recycling Element
- Household Hazardous Waste Element
- Recycling Policy Ordinance (Measure G)
- Residential Energy Conservation Ordinance
- Commercial Energy Conservation Ordinance
- Energy Crises Intervention Program
- Hazardous Material Area Plan and Hazardous Waste Importation Act
- Noise Ordinance
- Nuclear Free Berkeley Act

The City has adopted:

- The Joint Watershed Goals Statement with the cities of Albany, El Cerrito, and Richmond
- The City of Berkeley Resource Conservation and Global Warming Abatement Plan, which identifies actions necessary to achieve a 15% reduction in emissions by the year 2010 (a 129,000-metric-ton reduction)
- The Valdez Principles
- The Green Business Program
- The Environmental Economy Program
- The Green Building Initiative

POLICY BACKGROUND

Although Berkeley consists largely of urbanized, developed land, it does offer a great variety and abundance of natural resources and open space areas in the form of lush landscaping and urban vegetation, waterfront habitat along the shoreline, and wooded areas in the hills. The city also boasts a network of urban creeks descending from the hills to San Francisco Bay. Due to its long-established urbanized character, Berkeley has no active timber harvesting, mineral extraction, or fish and game industries. Agriculture in Berkeley is limited to personal and community gardens. Some fishing for personal use takes place at the Berkeley Marina, but commercial fishing operations are limited to recreational fishing charter boats.

Solid and Hazardous Wastes

Berkeley has a long history of concern for the environment, and in particular an interest in and commitment to reducing the amount of materials entering the solid waste stream. In compliance with State law, Berkeley adopted a 64% waste diversion goal through a Source Reduction and Recycling Element (SRRE) prepared pursuant to the California Integrated Waste Management Act. Although the City's goal of 64% exceeds the State-mandated 50% goal, Berkeley is currently diverting about 43% of its waste stream. Some of Berkeley's solid waste programs are privately operated, entirely independent of the public sector; some are privately owned but supported in one way or another by government; and some are conducted entirely by government entities. Solid and hazardous waste programs include:

Curbside Residential Recycling
Commercial Recycling
Organic Materials Collection
Certified Unified Program Regulation of
Hazardous Materials and Hazardous
Waste Oil Recycling Program
Asbestos Abatement Program
Recycling Market Development Zone
Polystyrene and Styrofoam ban
Community Conservation Centers' Drop-Off
and Buyback Program

Construction/Demolition Materials Recycling
Transfer Station Operation and Recycling
Used Motor Oil Recycling
Annual Neighborhood Cleanup
Illegal Dumping Collection and Bulky Goods
Collection
Coolants and Oils Recycling
Organic Materials Collection
Street Tree Wood Waste Recycling Program

Energy

The Berkeley community has also long been concerned about and involved with energy issues. In keeping with its progressive tradition, the City's efforts in planning and implementing energy conservation measures were among the first in the nation. Although recent energy usage figures show the community's

overall usage has declined in recent years, the long-term success of the City's energy programs will ultimately depend upon the community's ability to change its behavior patterns.

Green Building

Buildings consume 40% of the world's total energy and materials, 25% of the wood harvested, and 17% of the potable water. "Green" building practices can reduce these environmental and human health problems. A green building is sited, designed, constructed, and operated to enhance the well-being of its occupants, and to minimize the negative impacts on the community and the natural environment. In recent years, Berkeley has developed a Green Building Initiative, which seeks to make building green the "business as usual" choice for new construction and major remodel projects in Berkeley.

Streets, Sewers, and Essential Infrastructure

In recent years, there has also been growing concern about the state of Berkeley's essential infrastructure because of years of deferred maintenance, and the impact of that infrastructure on the environment. The City's 5-year Capital Improvement Program totals \$137 million in funding for capital improvements for 2002 to 2006, many of which are infrastructure improvements. The improvement of the City's sewer system accounts for \$39 million of the Capital Improvement Program budget, streets account for \$25 million, and parks and waterfront improvements account for \$16 million. A continued commitment to upgrading and maintaining the City's essential infrastructure will be essential to the health and vitality of the community and the environment for current and future generations. Figure 19 shows in dark lines the portions of Berkeley's sewer system that have been upgraded.



Figure 19: Sewer System Improvements

Creeks and Watercourses

The City of Berkeley contains five principal creeks: Derby, Potter, Strawberry, Schoolhouse, and Codornices, all of which flow west from the Berkeley Hills into San Francisco Bay. In addition, eight other creeks are at least partially within the City limits. Prior to urbanization, Berkeley's creek system provided a rich riparian habitat for aquatic and terrestrial plant and animal life. The natural watercourses minimized erosion, handled floodwaters, contributed to groundwater reserves and moderated temperature extremes. Most of the creeks in the flatlands are contained within underground drain culverts, a notable exception being Codornices Creek. In hillier areas, the creeks remain largely aboveground except under streets. In recent years, there has been a movement to attempt to "daylight" these underground creeks to once again flow aboveground. As a first effort, a 200-foot stretch of Strawberry Creek was opened in the City's Strawberry Creek Park. More recent examples are the block of Codornices Creek between Eighth and Ninth Streets, and Blackberry Creek in the Thousand Oaks School Park. Figure 20 illustrates the general location and condition of each of the city's major creeks.

In 1989, the City of Berkeley passed Ordinance No. 5961, entitled Preservation and Restoration of Natural Watercourses. The purposes of the ordinance are to regulate any future culverting of or construction in open creeks, to encourage the rehabilitation and restoration of natural waterways, and to promote responsible management of watersheds. Among the provisions of the ordinance are prohibitions against obstructing or interfering with watercourses; required setbacks for new construction; and requirements for obtaining of permits for construction of walls, drains, and bulkheads.



Figure 20: Berkeley Creeks

Trees and the Urban Forest

The City has an extensive public street tree program. The Parks and Waterfront Department maintains 30,000 street trees and 5,000 trees in the City's parks. Under the City's Tree Planting Program, the City plants up to 600 trees for city residents at no cost to the resident other than an agreement by the resident to water the tree. Most of the city's street trees are typically located in a three- to four-foot-wide grassy planting strip alongside the sidewalk. The City is currently on a five-year pruning cycle designed to ensure that every tree is pruned at least once every five years. Herbaceous and shrub vegetation is planted along with street trees in medians along many of the city's major roadways.

An inventory of Berkeley's street trees in the late 1980s found the following tree species to be most abundant in Berkeley:

Sycamore, London Plane (<i>Platanus acerifolia</i>)	Pittosporum, Victorian Box (<i>Pittosporum undulatum</i>)
Plum, Purple Leaf (<i>Prunus cerasifera</i>)	Ash, Shamel (<i>Fraxinus uhdei</i>)
Liquidambar (<i>Liquidambar styraciflua</i>)	Elm, English (<i>Ulmus procera</i>)
Camphor (<i>Cinnamomum camphora</i>)	Ash, Modesto (<i>Fraxinus velutina glabra</i>)
Elm, Chinese (<i>Ulmus parvifolia</i>)	
Cherry, Oriental (<i>Prunus serrulata</i>)	

Most of the above-listed species are not native to the Berkeley area, but do well in the Mediterranean-type climate and have characteristics suitable for street trees.

In 1990, the City of Berkeley adopted a Tree Policy. The goal of the Tree Policy is to care for and maintain the trees growing in the parkways and parks in the city. The Policy sets forth specific guidance on tree species criteria and tree selection, planting methods, consideration of views, agreement with neighboring property owners regarding continued watering, tree replacement, emergency tree work, and tree protection and care.

Air Quality

In contrast to some areas of the Bay Area Air Basin, air quality in Berkeley generally meets clean air standards on most days. Air quality concerns that do occur in Berkeley are more related to air contaminants for which there are no established safe standards. These contaminants include airborne carcinogens and nuisance sources, such as odors or dust. While the meteorology is generally favorable for minimizing air pollution, the Berkeley area is a source region for air quality problems in downwind communities. This impact is exacerbated by the frequent traffic congestion in Berkeley. Consequently, emission reductions in Berkeley will have a limited local benefit, but will be an important contributor to attaining/maintaining clean air standards in the region.

Transportation is the major contributor to regional air pollution. Stationary sources (e.g., smokestack industries) were once important sources of both regional pollution as well as a local nuisance. Their role in the pollution picture--regionally and locally--has been substantially reduced in recent years by pollution control programs of the Bay Area Air Quality Management District (BAAQMD). Any further progress in air quality improvement now focuses heavily on the automobile.

Noise

Major noise sources in Berkeley include cars, trucks, buses, trains, industrial plant equipment noise, and activities associated with neighborhoods and schools (lawn mowing and leaf blowing, children playing, etc.). The most important difference between transportation and non-transportation noise sources is that

Figure 21, *Noise Contours*, shows the general noise levels throughout the city. The contour lines represent average Day-Night levels (L_{dn}).



GENERAL PLAN
ADOPTED APRIL 23, 2002

the city in 1973 and 1995. Small decreases in noise levels have occurred along much of San Pablo Avenue and along portions of Ashby Avenue since 1973. Some increases in noise levels have been observed along a number of roadways, including portions of Sixth Street, Martin Luther King Jr. Way, Milvia Street, Shattuck Avenue, Oxford Street, Claremont Avenue, Grizzly Peak Boulevard, Gilman Street, Hopkins Street, Delaware Street, Hearst Avenue, and Dwight Way. These changes are consistent with the recent citywide traffic counts which show that although traffic has increased on some streets, actual traffic volume and traffic speeds have lowered on other streets, which would result in a reduction in noise levels. However, a closer comparison of the two studies shows that the recorded differences may instead be due to slight differences in how the measurements were taken or the particular conditions on the day the measurements were taken.

Noise sources related to heavy manufacturing, located mainly in industrialized West Berkeley, were once a more dominant contributor to the noise environment. In the past, noise-related land use conflicts between West Berkeley and other more residential sectors of the city were at a minimum, given the distance between these areas. More recently, however, increased residential and commercial uses in West Berkeley have begun to threaten industrial uses, in part through a changing perception of environmental standards as they relate to the manufacturing process. The presumption in the past in most industrially zoned areas was that noise generated by an industrial use was an acceptable part of the manufacturing context. The *Concept Plan for West Berkeley* was adopted in 1991 and included policies to address these types of noise conflicts in order to maintain the historic mix of land uses in an environmentally responsible manner. The *West Berkeley Plan*, adopted in 1993, calls for more stringent environmental review and regulation, including the mitigation of noise through both industrial and residential measures.

The City's Noise Ordinance sets limits for permissible noise levels during the day and night according to the zoning of the area. The Noise Ordinance does not recognize residents living in non-residential zones, such as in West Berkeley. In addition, if *ambient noise* (the general level of noise in the area) exceeds the standard, that ambient noise level becomes the allowable noise level. Enforcement of the Berkeley Noise Ordinance (Chapter 13.40 of the Municipal Code) is often related to commercial or industrial mechanical equipment that is sited near residential uses.

ELEMENT OBJECTIVES

The policies and actions of the Environmental Management Element are intended to make Berkeley a more environmentally sustainable community by achieving the following eight objectives:

1. Promote development and coordination of local and regional environmental management programs and facilitate community participation in environmental protection and conservation.
2. Reduce solid and hazardous wastes and minimize risk from hazardous materials.
3. Reduce emissions and improve air quality.
4. Conserve water, improve water quality, and facilitate creek restoration.
5. Protect, maintain, and enhance the urban forest (including street and park trees) and natural habitat areas.
6. Support and promote a local food system based upon sustainable regional agriculture to assure access to healthy, affordable, and culturally appropriate foods.

7. Reduce nonrenewable energy consumption and unnecessary glare from inappropriate lighting.
8. Protect the community from excessive noise levels.

POLICIES AND ACTIONS

ENVIRONMENTAL MANAGEMENT PROGRAMS

Policy EM-1 City of Berkeley Leadership

Maintain Berkeley's position as a leader in the adoption and implementation of environmental management programs.

Actions:

- A. Consider environmental and social costs in all decision-making and budget decisions.
- B. Ensure full disclosure of information about environmental consequences of City decisions.
- C. Continue to develop and use scientifically based environmental management principles to inform decisions regarding economic, social, and physical planning.
- D. Coordinate City regulatory and educational functions to facilitate environmental management goals.
- E. Adopt a comprehensive Environmental Leadership policy to integrate environmental policies and communicate the City's Environmental Leadership Mission to the public.

Policy EM-2 Sustainable Berkeley

Maintain Berkeley's position as a leader in the creation and implementation of sustainable community practices and programs.

Actions:

- A. Ensure that City activities are accomplished in a coordinated way, governed by our overarching goal of sustainability.
- B. Align City mission statements, budgeting, and operations with sustainability goals. Consider sustainability criteria in City policy, City purchasing, municipal operations, and program decisions.
- C. Consider establishing a coordinating body to spearhead and accelerate organizational and community implementation of sustainable practices and to ensure integration of environmental, economic, and social policies and programs.
- D. Report progress on sustainability goals regularly as part of the General Plan Annual Review. Conduct a Sustainability Assessment using the activity to set targets to meet goals and monitor future action.
- E. Obtain certification as a sustainable municipal operation.
- F. Promote the adoption of sustainable activities by the public, businesses, and organizations.

Policy EM-3 Regional Coordination

Promote the City's environmental management and sustainability policies and programs and encourage other cities in the region to establish similar or better policies and programs.

Actions:

- A. Coordinate Berkeley's sustainability and environmental management programs with other, related programs in the region.
- B. Support regional efforts to create economic incentives to encourage environmental management and sustainability by cities, businesses, and households.
- C. Support public-private environmental management and sustainability partnerships with the scientific, environmental, educational, and business communities to develop sustainable applications for public and private use and to implement educational programs for households, public agencies, and businesses.

EM-4 Green Building Certification

Develop a green building certification program.

Actions:

When developing the program consider:

- A. Requiring City-owned buildings, buildings developed by private developers on City-owned and controlled land, and projects that include City financial assistance to be Green Building certified.
- B. Encouraging all private buildings to be Green Building certified.
- C. Developing a green design assistance program.
- D. The minimization of greenhouse gases produced by new buildings especially as related to space heating efficiencies.

Policy EM-5 "Green" Buildings

Promote and encourage compliance with "green" building standards. (*Also see Urban Design and Preservation Policy UD-33.*)

Actions:

- A. Encourage, and where appropriate require, new construction and major remodel projects to be sited, designed, constructed, and operated to enhance the well-being of their occupants, and to minimize present and future impacts on the community and the natural environment. (*Also see Policy EM-39.*)
- B. Encourage landscaping for water and energy efficiency. (*Also see Policy EM-26.*)
- C. Encourage buildings to incorporate renewable energy and energy- and water-efficient technologies. (*Also see Policies EM-38 and EM-39.*)
- D. Encourage use of recycled-content construction materials. (*Also see Policy EM-6.*)

- E. Encourage efforts to improve indoor air quality and to provide a comfortable and healthy environment.
- F. Encourage reduction of construction and demolition waste. (*Also see Policy EM-6.*)
- G. Encourage construction of durable buildings.
- H. Establish a green design assistance and green building certification program.

Policy EM-6 Nuclear Free Berkeley

Continue to enforce the provisions of the Nuclear Free Berkeley Act. The City shall not invest in or contract with entities that are engaged in Nuclear Weapons work, except under the limited circumstances outlined in the Act. The City shall provide timely notice of proposals to waive the Nuclear Free Act, so that citizens are assured the opportunity to comment on any proposed waiver of the Nuclear Free Act. It shall therefore be City of Berkeley policy that the City supports First Amendment actions to defend the Berkeley Nuclear Free Act.

SOLID AND HAZARDOUS WASTE AND REGULATIONS

Policy EM-7 Reduced Wastes

Continue to reduce solid and hazardous wastes.

Actions:

- A. Achieve a 64% diversion of waste from landfills.
- B. Manage wastes locally to the greatest extent feasible to minimize the export of wastes and pollution to other communities.
- C. Encourage the Lawrence Berkeley Laboratory and the University of California to minimize to the greatest extent feasible the storage of radioactive and other toxic wastes in Berkeley.
- D. Encourage reduction in the use of toxic materials.
- E. Encourage reuse, recycling, and composting.
- F. Facilitate battery and used oil recycling.
- G. Support programs and incentives to reduce the manufacture and use of materials which are non-recyclable or hazardous to people and the environment.
- H. Develop education and promotion programs to increase recycling by occupants of multi-family buildings.
- I. Through legislation and other means, reduce the use of plastic by eliminating multiple layers in packaging and encourage reusable shipping containers such as collapsible pallets and refillable bottles for bulk liquids.
- J. Encourage reusable bags and packaging such as reusable bottles, whether glass or plastic.
- K. Link collection of plastic to mandated recycled content in plastic packaging

- L. Advocate at the state level for higher disposal fees for products that are designed for single use and for products that do not incorporate any post-consumer recycled content.

Policy EM-8 Building Reuse and Construction Waste

Encourage rehabilitation and reuse of buildings whenever appropriate and feasible in order to reduce waste, conserve resources and energy, and reduce construction costs. (*Also see Urban Design and Preservation Policy UD-6.*)

Actions:

- A. Encourage the reuse of demolition materials and recycling of construction scraps.
- B. Expand the existing yard-waste recycling program to include restaurant and institutional food waste.

Policy EM-9 Recycling and Waste Transfer Stations

Ensure convenient access for Berkeley citizens to transfer stations, recycling, composting, and collection of household hazardous waste products.

Action:

- A. Seek to identify a site for and develop a Berkeley hazardous waste drop-off facility, or develop a citywide pickup program.

Policy EM-10 Materials Recovery and Remanufacturing

Support and encourage serial materials recovery and remanufacturing industries. (*Also see Economic Development and Employment Policy ED-7.*)

Action:

- A. Consider zoning changes to facilitate relocation and establishment of recovery and remanufacturing industries.

Policy EM-11 Biodegradable Materials and Green Chemistry

Support efforts to phase out the use of long-lived synthetic compounds, such as pesticides and vehicle anti-freeze, and certain naturally occurring substances which do not biodegrade. Encourage efforts to change manufacturing processes to use biodegradable materials, recycle manufactured products, reuse by-products, and use "green" products.

Actions:

- A. Encourage citywide efforts to phase out or minimize the use of synthetic fertilizers, hazardous household wastes, toxic cleaning agents, herbicides, and pesticides.
- B. Require City departments to use nontoxic materials whenever possible.
- C. Encourage retailers to stock nontoxic alternatives to hazardous products.

Policy EM-12 Education

Work with other State and local agencies to educate business owners and residents regarding safe use, recycling, and disposal of toxic materials; reducing hazardous household wastes; and substitutes for these substances.

Actions:

- A. Implement business operator education and hazardous materials minimization programs to avoid accidental releases of hazardous materials.
- B. Conduct periodic training exercises for the identification, containment, decontamination, and disposal of hazardous materials.

Policy EM-13 Hazardous Materials Disclosure

Continue to require the disclosure of hazardous materials usage and encourage businesses using such materials to prepare and implement a plan to reduce the use of hazardous materials and the generation of hazardous wastes.

Policy EM-14 Hazardous Material Regulation

Control and regulate the use, storage and transportation of toxic, explosive, and other hazardous and extremely hazardous material to prevent unauthorized and accidental discharges. (*Also see Disaster Preparedness and Safety Policy S-14.*)

Actions:

- A. Regularly inspect businesses using, storing, transporting, or generating hazardous materials or wastes to ensure compliance with federal, state, and local regulations.
- B. Require facility operators to write and implement contingency plans in preparation for emergency situations and accidental releases. Additionally, require facilities to train their employees on how to activate the contingency plans.

Policy EM-15 Environmental Investigation

When reviewing applications for new development in areas historically used for industrial uses, require environmental investigation as necessary to ensure that soils, groundwater, and buildings affected by hazardous material releases from prior land uses would not have the potential to affect the environment or the health and safety of future property owners, users, or construction workers. (*Also see Disaster Preparedness and Safety Policy S-15.*)

Policy EM-16 Risk Reduction

Work with owners of vulnerable structures with significant quantities of hazardous material to mitigate potential risks. (*Also see Disaster Preparedness and Safety Policy S-13.*)

Policy EM-17 Warning Systems

Establish a way to warn residents of a release of toxic material or other health hazard, such as sirens and/or radio broadcasts. (*Also see Disaster Preparedness and Safety Policies S-1 and S-9.*)

AIR QUALITY

Policy EM-18 Regional Air Quality Action

Continue working with the Bay Area Air Quality Management District and other regional agencies to:

- 1. Improve air quality through pollution prevention methods.
- 2. Ensure enforcement of air emission standards.
- 3. Reduce local and regional traffic (the single largest source of air pollution in the city) and promote public transit.
- 4. Promote regional air pollution prevention plans for business and industry.

5. Promote strategies to reduce particulate pollution from residential fireplaces and wood-burning stoves.
6. Locate parking appropriately and provide adequate signage to reduce unnecessary "circling" and searching for parking.

Policy EM-19 15% Emission Reduction: Global Warming Plan

Make efforts to reduce local emissions by 15% by the year 2010. (*Also see Transportation Policy T-19.*)

Action:

- A. Continue to support and implement local emission reduction programs, such as the City of Berkeley Employee Fleet Bicycle Program, the Police Bicycle Program, and the actions recommended in the City of Berkeley Resource Conservation and Global Warming Abatement Plan.

Policy EM-20 City of Berkeley Fleet

The City should exceed Federal and State standards for all City fleet vehicles and use all means practical to reduce emissions of criteria pollutants and greenhouse gases. (*Also see Transportation Policy T-11.*)

Actions:

- A. Through attrition, eliminate all heavy-duty, diesel-fueled vehicles.
- B. All vehicle acquisitions should be of a size and fuel-type (including bicycles, ultra-light vehicles, electric vehicles and/or hybrid vehicles, and premium-efficiency conventional vehicles) that are appropriate for the tasks and have the least amount of emissions.
- C. Continue to convert fleet vehicles to natural gas, electricity, and other alternative fuels. Substitute bicycles for energy-powered vehicles whenever possible.

Policy EM-21 Alternative Fuels

Work with the University of California, the Berkeley Unified School District, and other agencies to establish natural gas fueling and electric vehicle recharging stations accessible to the public.

Policy EM-22 Public Awareness

Increase public awareness of air quality problems, rules, and solutions through use of City publications and networks.

Action:

- A. Work on a local and regional level to improve air quality for Berkeley residents and the region.

WATER QUALITY AND CREEKS

EM-23 Water Quality in Creeks and San Francisco Bay

Take action to improve water quality in creeks and San Francisco Bay.

Actions:

- A. Work with the East Bay Municipal District (EBMUD) to ensure that wastewater discharges comply with the requirements of EBMUD's Wastewater Control Ordinance No. 311 to manage wastewater treatment discharges to protect San Francisco Bay.

- B. To minimize storm sewer pollution of San Francisco Bay, maintain an effective street sweeping and cleaning program.
- C. Identify and eliminate cross connections between the sanitary sewer and storm sewer systems.
- D. Restore a healthy freshwater supply to creeks and the Bay by eliminating conditions that pollute rainwater, and by reducing impervious surfaces and encouraging use of swales, cisterns, and other devices that increase infiltration of water and replenishment of underground water supplies that nourish creeks.
- E. Increase public awareness of the value of promoting healthy watersheds and aquifers. Use mailings and similar methods to educate residents, particularly creek-side property owners, about how they can protect and improve water quality, lessen erosion, and improve habitat and creek restoration projects. Support education campaigns to eliminate dumping of paint, chemicals, and other pollutants into the storm drain system.
- F. Encourage the maintenance and restoration of creeks and wetlands and appropriate planting to cleanse soil, water, and air of toxins.

Policy EM-24 Sewers and Storm Sewers

Protect and improve water quality by improving the citywide sewer system.

Actions:

- A. Adequately fund sewer system improvements necessary to maintain water quality in natural areas and reduce public health hazards.
- B. Identify and eliminate illegal roof-leader and other illegal connections to the sewer system.
- C. Establish a program for the identification and remediation of faulty laterals on private property. Consider requiring inspection and repair as a condition of property transfer.
- D. Identify alternative funding sources for essential infrastructure improvements such as grants, public-private partnerships, and special benefit districts.
- E. Ensure that new development pays its fair share of improvements to the storm sewerage system necessary to accommodate increased flows from the development.
- F. Coordinate storm sewer improvements with creek restoration projects.

Policy EM-25 Groundwater

Protect local groundwater by promoting enforcement of state water quality laws that ensure non-degradation and beneficial use of groundwater.

Policy EM-26 Water Conservation

Promote water conservation through City programs and requirements.

Actions:

- A. Encourage drought-tolerant landscaping and low-flow irrigation systems.

- B. Consider participation in the East Bay Municipal Utility District's East Bay-shore Recycled Water Project to make recycled water available for irrigation and other non-potable uses.

Policy EM-27 Creeks and Watershed Management

Whenever feasible, daylight creeks by removing culverts, underground pipes, and obstructions to fish and animal migrations. (*Also see Disaster Preparedness and Safety Policy S-28 and Land Use Policy LU-20.*)

Actions:

- A. Seek funding sources to acquire and preserve land within creek corridors for restoration or day-lighting.
- B. Establish, where appropriate or feasible, pedestrian and bicycle paths along creek-side greenways to connect neighborhoods and commercial areas.
- C. Encourage day-lighting of creeks on public lands as well as along creeks that are substantially open and accessible to the public.
- D. Restrict development on or adjacent to existing open creeks. When creeks are culverted, restrict construction over creeks and encourage design solutions that respect or emphasize the existence of the creek under the site.
- E. Ensure that creek day-lighting proposals include appropriate landscaping, allow for adequate access, and carefully consider the urban context, the impact on existing recreational spaces, and the economic impact on the property and nearby properties.
- F. Work in cooperation with adjoining jurisdictions to jointly undertake creek and wetland restoration projects, to improve water quality and wildlife habitat, to allow people to enjoy creeks as part of urban open space, and to create creek-side transportation corridors for pedestrians and bicycles, as described in the 1995 Joint Watershed Goals Statement.
- G. Regulate new development within 30 feet of an exposed streambed as required by the Creeks Ordinance and minimize impacts on water quality and ensure proper handling of stormwater runoff by requiring a careful review of any public or private development or improvement project proposed in water sensitive areas.
- H. Consider amending the Creek Ordinance to restrict parking and driveways on tops of culverts and within 30 feet of creeks.
- I. Consider replacing culverts under streets with open bridging when feasible.

HABITAT AND THE URBAN FOREST

Policy EM-28 Natural Habitat

Restore and protect valuable, significant, or unique natural habitat areas. (*Also see Open Space and Recreation Policy OS-9.*)

Actions:

- A. Restore the natural habitat and improve water quality in the Aquatic Park lagoon.

- B. Where appropriate, balance increased use of open space and public lands with enhancement of natural habitat.
- C. Preserve and enhance coastal and riparian areas and water flows necessary to support natural habitat and wildlife.

Policy EM-29 Street and Park Trees

Maintain, enhance, and preserve street and park trees to improve the environment and provide habitat.

Actions:

- A. Develop a street and park tree management plan to create a vibrant and well maintained tree population throughout the city. Wherever possible, tree replacement should emphasize native tree and plant species and maintain, to the extent feasible, street tree canopies over the street. (*Also see Urban Design and Preservation Policy UD-9.*)
- B. Prioritize South and West Berkeley for additional street tree planting.
- C. Ensure that new development preserves existing trees, wherever feasible, and adds trees in the public right-of-way, where appropriate.
- D. Maintain standards to ensure parking lot tree canopy coverage.
- E. Maintain programs to ensure the timely removal and replacement of unhealthy or inappropriate street or park trees.
- F. Preserve and protect heritage trees, including native oaks and other significant trees on public and private property whenever feasible.
- G. Discourage the filling of planter strips with concrete.

Policy EM-30 Native Plants

Use native tree and plant species to enhance ecological richness.

Action:

- A. Where appropriate, use native landscaping in new and replacement plantings, and remove non-native plants to create ecological corridors for wildlife habitation.

Policy EM-31 Landscaping

Encourage drought-resistant, rodent-resistant, and fire-resistant plants to reduce water use, prevent erosion of soils, improve habitat, lessen fire danger, and minimize degradation of resources.

Policy EM-32 Inter-Jurisdictional Coordination

Encourage efforts by neighboring jurisdictions and agencies, such as the East Bay Regional Park District, the University of California at Berkeley, and the Lawrence Berkeley National Laboratory, to restore historic coastal grasslands and native trees in the hill area to provide natural habitat and reduce fire danger in the area.

Policy EM-33 Citizen Efforts

Encourage citizen efforts to restore ecological resources and open space areas, such as pathways and stairways.

Action:

- A. Work with citizens and businesses to maintain clean streets, sidewalks, and building exteriors.

LOCAL FOOD SYSTEMS

Policy EM-34 Local Food Systems

Increase access to healthy, affordable, and culturally appropriate foods for the people of Berkeley by supporting efforts to build more complete and sustainable local food production and distribution systems. *(Also see Open Space and Recreation Policy OS-8.)*

Actions:

- A. Encourage efforts by the Berkeley Unified School District, the University of California, and other institutions to provide training and instruction in food and plant production.
- B. Support community outreach and education to strengthen organic sustainable food systems in the city and the region.
- C. Promote the purchase of food from local producers for schools, senior centers, after-school programs, food provision programs, and other social programs. Encourage the donation of fresh produce from community gardens to local food programs.
- D. Continue to make the City's composted waste available to community and school gardens.
- E. Promote seed distribution, lead testing, and composting programs for community gardens.
- F. Provide sites for local farmers' markets and community gardens.
- G. Encourage buildings that incorporate rooftop gardens that may be used for gardening.
- H. Encourage neighborhood initiatives to grow native and fruit-bearing trees.

ENERGY AND LIGHTING

Policy EM-35 Energy-Efficient Design

Promote high-efficiency design and technologies that provide cost-effective methods to conserve energy and use renewable energy sources. *(Also see Urban Design and Preservation Policy UD-33.)*

Action:

- A. Promote statewide code revisions necessary to enable the use of new methods and materials to conserve resources and prevent pollution.

Policy EM-36 Energy Conservation

Continue to implement energy conservation requirements for residential and commercial buildings at the time of sale and at time of major improvements.

Actions:

- A. Encourage patterns of development, building designs, and construction methods that are energy-efficient and reduce pollution.
- B. Encourage the use of lighting that is energy-efficient and non-intrusive.

Policy EM-37 Partnerships

Support public-private organizations established to implement energy conservation practices within the community.

Policy EM-38 Alternative Sources

Support efforts to produce energy through local alternative sources.

Actions:

- A. Consider establishing a program of incentives to encourage conversion of residential, commercial, and/or institutional buildings to local alternative energy sources.
- B. Consider establishing a subsidy program to enable low-income households to benefit from conservation and alternative power programs.

Policy EM-39 Business Energy Conservation

Encourage all businesses to implement energy conservation plans.

Policy EM-40 Market Support

Support the market for energy-efficient technologies and services.

Policy EM-41 Fossil Fuel

Encourage and support efforts to reduce use of fossil fuel and other finite, nonrenewable resources.

Actions:

- A. Wherever feasible, purchase low-emission, fuel-efficient vehicles and phase out use of diesel-fuel vehicles.
- B. Encourage actions that provide access by proximity, such as locating housing closer to transportation, commercial services, and job centers. (*Also see Transportation Policy T-16, Housing Policy H-16, and Land Use Policy LU-23.*)
- C. Encourage use of “bio-diesel” fuel as an alternative to fossil fuel.

Policy EM-42 Outdoor and Street Lighting

Outdoor lighting should be chosen to avoid glare and provide an attractive nighttime environment with “fully shielded” fixtures to limit light rays emitted above the horizontal plane.

NOISE

Policy EM-43 Noise Reduction

Reduce significant noise levels and minimize new sources of noise.

Actions:

- A. Increase enforcement of the Noise Ordinance to reduce noise impacts.
- B. Consider improvements to the Noise Ordinance to improve the City's ability to reduce noise impacts.
- C. Promote increased public awareness concerning the negative effects of excessive noise on humans.

Policy EM-44 Noise Prevention and Elimination

Protect public health and welfare by eliminating existing noise problems where feasible and by preventing significant future degradation of the acoustic environment.

Actions:

- A. Incorporate noise considerations into land use planning decisions.
- B. Ensure the effective enforcement of City, State, and Federal noise levels by appropriate City departments.
- C. Coordinate with the California Occupational Safety and Health Administration (Cal-OSHA) to provide information on and enforcement of occupational noise requirements within the City of Berkeley.
- D. Support Federal and State legislation to lower allowable noise level on all motor vehicles.

Policy EM-45 Traffic Noise

Work with local and regional agencies to reduce local and regional traffic, which is the single largest source of unacceptable noise in the city.

Actions:

- A. Encourage neighborhood traffic calming strategies that cause motorists to slow down and decrease noise levels in all residential areas. (*Also see Transportation Policy T-20.*)
- B. Through the taxi permit process, restrict taxis and shuttles from honking in neighborhoods.
- C. Minimize potential transportation noise through proper design of street circulation, coordination of routing, and other traffic control measures.
- D. Promote and encourage new vehicle technologies to reduce transportation noise levels.
- E. Construct a noise barrier for Aquatic Park. (*Also see Open Space and Recreation Policy OS-8.*)
- F. Enforce muffler laws.
- G. Work with AC Transit to reduce bus noise. (*Also see Transportation Policy T-2.*)

- H. Establish noise emission limits on City public works projects and vehicles, such as refuse collection trucks, and work with other large institutions in the city, such as BUSD, to reduce vehicle noise emissions.

Policy EM-46 Noise Mitigation

Require operational limitations and all feasible noise buffering for new uses that generate significant noise impacts near residential, institutional, or recreational uses.

Actions:

- A. Promote use of noise insulation materials in new construction and major rehabilitation.
- B. Mitigate significant noise impacts on parks and public open space, whenever feasible. (*Also see Open Space and Recreation Policy OS-12.*)

Policy EM-47 Land Use Compatibility

Ensure that noise-sensitive uses, including, but not limited to, residences, child-care centers, hospitals, and nursing homes, are protected from detrimental noise levels.

Action:

- A. Noise-sensitive development proposals should be reviewed with respect to the Land Use Compatibility Guidelines below.

If the noise level is within the “normally acceptable” level, noise exposure would be acceptable for the intended land use. Development may occur without requiring an evaluation of the noise environment unless the use could generate noise impacts on adjacent uses.

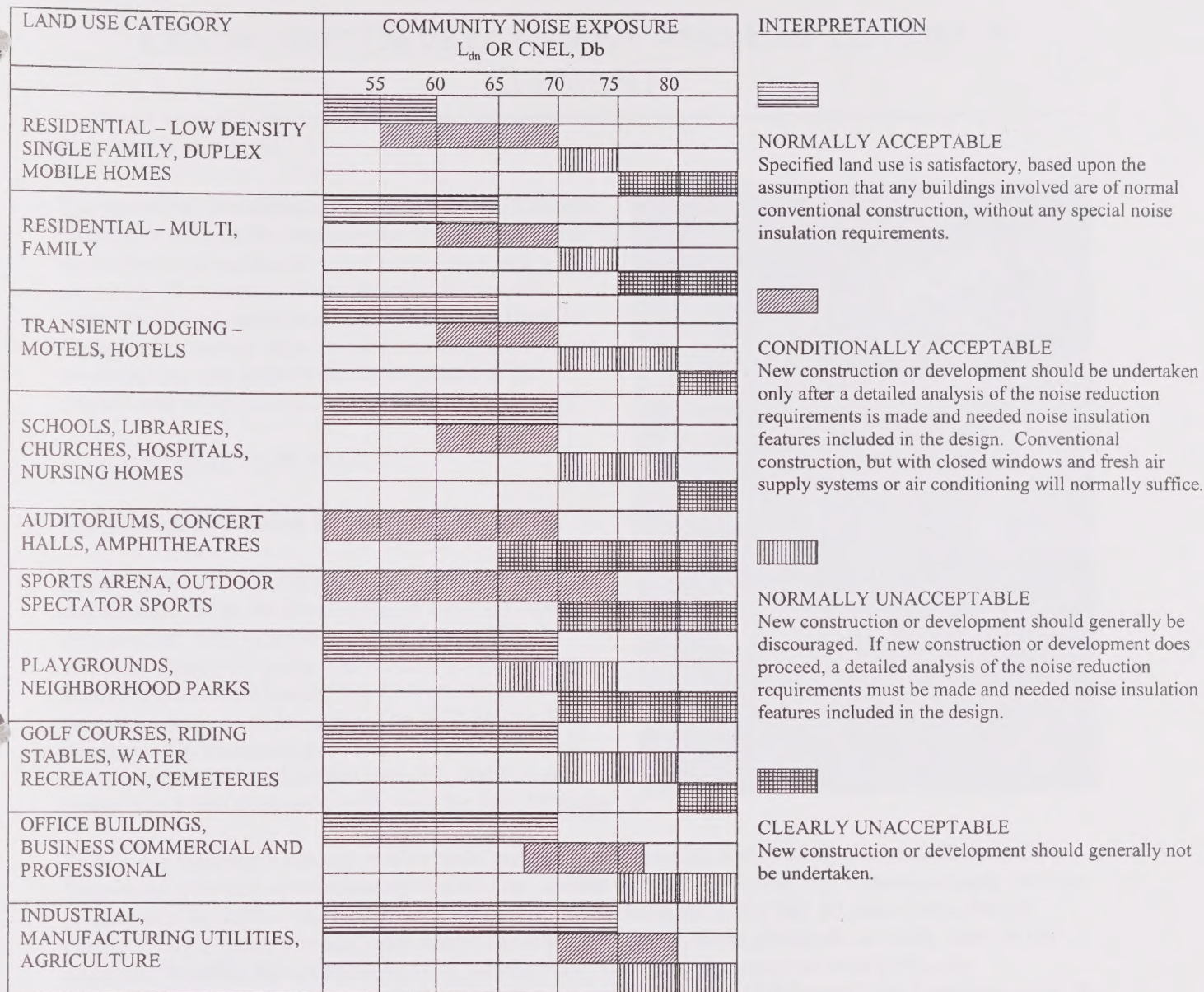
If the noise level is within the “conditionally acceptable” level, noise exposure would be conditionally acceptable; a specified land use may be permitted only after detailed analysis of the noise environment and the project characteristics to determine whether noise insulation or protection features are required. Such noise insulation features may include measures to protect noise-sensitive outdoor activity areas (e.g., at residences, schools, or parks) or may include building sound insulation treatments such as sound-rated windows to protect interior spaces in sensitive receptors.

If the noise level is within the “normally unacceptable” level, analysis and mitigation are required. Development should generally not be undertaken unless adequate noise mitigation options have been analyzed and appropriate mitigations incorporated into the project to reduce the exposure of people to unacceptable noise levels.

If the noise level is within the “clearly unacceptable” level, new construction or development should not be undertaken unless all feasible noise mitigation options have been analyzed and appropriate mitigations incorporated into the project to reduce exposure of people to unacceptable noise levels.

Figure 12

LAND USE COMPATABILITY FOR COMMUNITY NOISE ENVIRONMENTS



A. NORMALIZED NOISE EXPOSURE INFORMATION DESIRED

Where sufficient data exists, evaluate land use suitability with respect to a "normalized" value of CNEL or L_{dn} . Normalized values are obtained by adding or subtracting the constants described in Table 1 to the measured or calculated value of CNEL or L_{dn} .

B. NOISE SOURCE CHARACTERISTICS

The land use-noise compatibility recommendations should be viewed in relation to the specific source of the noise. For example, aircraft and railroad noise is normally made up of higher single noise events than auto traffic but occurs less frequently. Therefore, different sources yielding the same composite noise exposure do not necessarily create the same noise environment. The State Aeronautics Act uses 65 dB CNEL as the criterion which airports must eventually meet to protect existing residential communities from unacceptable exposure to aircraft noise. In order to facilitate the purposes of the Act, one of which is to encourage land uses compatible with the 65 dB CNEL criterion wherever possible, and in order to facilitate the ability of airports to comply with the Act, residential uses located in Community Noise Exposure Areas greater than 65 dB should be discouraged and considered located within normally unacceptable areas.

C. SUITABLE INTERIOR ENVIRONMENTS

One objective of locating residential units relative to a known noise source is to maintain a suitable interior noise environment at no greater than 45 CNEL or L_{dn} . This requirement, coupled with the measured or calculated noise reduction performance of the type of structure under consideration, should govern the minimum acceptable distance to a noise source.

D. ACCEPTABLE OUTDOOR ENVIRONMENTS

Another consideration, which in some communities is an overriding factor, is the desire for an acceptable outdoor noise environment. When this is the case, more restrictive standards for land use compatibility, typically below the maximum considered "normally acceptable" for that land use category, may be appropriate.

ECONOMIC DEVELOPMENT AND EMPLOYMENT ELEMENT

INTRODUCTION

The Economic Development and Employment Element establishes policies for ensuring the long-term success of the Berkeley economy through City policies and programs. The purpose of the Element is to create employment and ownership opportunities for Berkeley residents, encourage appropriate economic and business development, and support the development of the cultural and artistic sectors of the Berkeley economy.

POLICY BACKGROUND

The Changing Berkeley Economy

Current economic conditions differ greatly from those that existed during the preparation of the 1977 Master Plan and the 1980 Economic Development Plan. In 1977, the industrial sector was shrinking rapidly, retail establishments were leaving the Downtown, and property values were dropping. The 1977 Master Plan noted that the unemployment rate was over 16%, that sales tax receipts had declined over 7%, and that real estate values had declined by 9% over the past 10 years.



Today, the Berkeley economy, with a wide variety of commercial, institutional, and manufacturing businesses, provides approximately 70,000 jobs. In December of 1999, the city's unemployment rate was estimated to be 2.3% -- the lowest unemployment rate in Berkeley in the last 20 years. Even though current overall unemployment rates reflect the city's prosperity, some groups do not fully share in the economic benefits. For example in 1990, when overall the unemployment rate was 5.6%, the unemployment rate was 12% for African-American women and over 18% for African-American males. In 1990, African-American per capita income in Berkeley was \$11,134, only 59% of the citywide average.

Approximately 3,600 private manufacturing, retail, and service businesses and a strong industrial base in West Berkeley generate over \$1.2 billion in taxable sales. The stock of moderately sized commercial buildings, the dearth of large vacant parcels, and a well-educated and entrepreneurial citizenry have made Berkeley an excellent incubator for small, "start-up" businesses. Approximately 90% of all Berkeley employers have 20 or fewer employees. In addition, the University of California and other state-supported educational and research institutions are a fundamental source of economic stability for Berkeley.

The booming economy of the mid- and late-'90s brought challenges as well as benefits. Property values and rents skyrocketed, bringing prosperity to some but also threatening the economic, social, and cultural diversity that distinguishes Berkeley life. The extensive local community of artists and craftspeople is finding it increasingly difficult to live and work here. In West Berkeley, the city's industrial sector is healthy, but higher office rents continue to create pressures to convert land from manufacturing uses, with

their well-paying industrial jobs, to retail and office uses. Vigilance is needed to maintain a balance among manufacturing, retail, and office uses.

Employment

Between 1970 and 2000, the number of jobs grew from approximately 51,000 to 70,000. The service sector is the fastest growing sector in Berkeley. The University of California, the City of Berkeley, Lawrence Berkeley National Laboratory, the State Department of Health Services, and the Berkeley Unified School District account for approximately 30% of all jobs in Berkeley. Although the number of jobs in Berkeley is growing, the number of employed residents has remained fairly stable at approximately 54,500 – an indication that the number of Berkeley employees commuting daily into the city is increasing.

From 1987 to 1992, Berkeley added 800 manufacturing jobs. This 14% increase reversed a 15-year decline in manufacturing jobs in Berkeley and outpaced manufacturing growth in the county as a whole (source: 1992 Census of Manufacturing and City of Berkeley). Since 1992, the number of manufacturing jobs in Berkeley has stabilized. Approximately 24% of all Berkeley jobs are in West Berkeley. In West Berkeley, manufacturing and wholesale jobs account for 41% of all jobs, service jobs for 30%, retail jobs for 16%, and other jobs (construction, transport, etc.) for 13%.



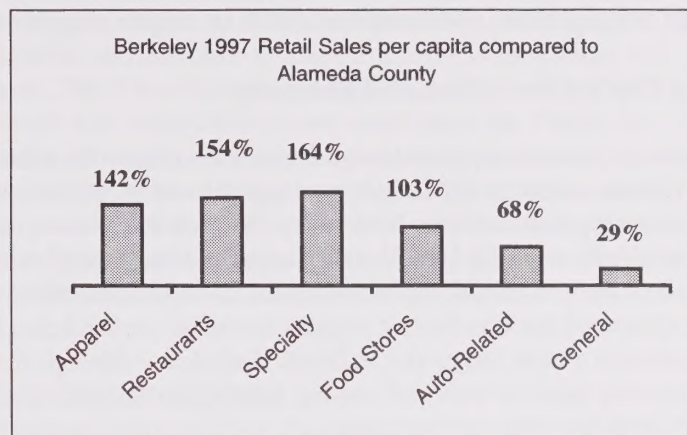
Figure 22: Commercial and Industrial Employment Areas

Figure 22 shows the general location of the city's commercial and industrial job generating areas.

Commercial Districts

Compared to other cities in the region, Berkeley has a large number of small specialty stores and services and a small number of large general merchandise stores. General merchandise is the weakest sector of the retail trade in Berkeley. The strongest retail sectors include: specialty retail, restaurants, and apparel. Although per capita sales for auto dealers and supplies are only 68% of the county average, auto-related sales taxes constitute about 10% of all sales tax receipts in Berkeley.

Weatherford BMW is the city's single largest generator of sales tax (source: Census of Retail Trade).



Berkeley commercial districts are as strong as or stronger than they were in 1977. Business license tax receipts reached an all-time high in 1998, reflecting an increase of 12.3% over 1996. Hotel tax receipts also reached an all-time high in 1998, while commercial, residential, and industrial property vacancy rates fell to single digits. Berkeley's neighborhood and avenue commercial districts include a large number of specialty stores and services that attract customers from outside the surrounding neighborhoods.

Figure 23 shows the distribution of certain services and community facilities throughout the city.

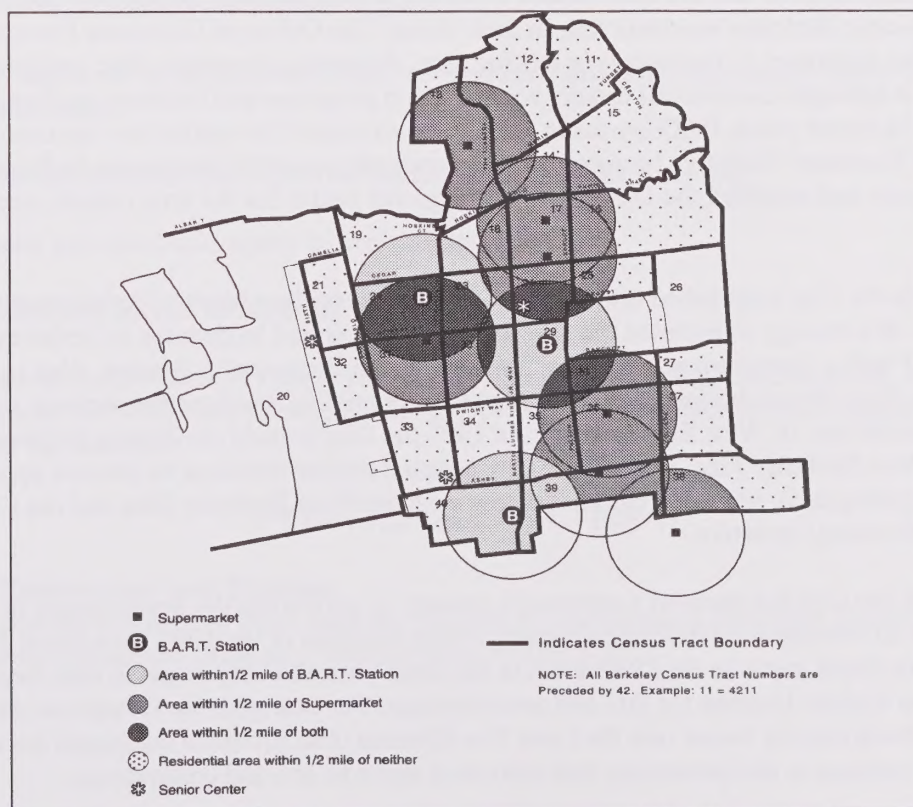


Figure 23: Commercial and Community Services

Examples of businesses that attract customers from beyond the immediate neighborhood include movie theaters, popular restaurants, specialty furniture stores, unique bookstores, music stores, and specialty food stores that are not in regional malls or neighboring communities.

The City's Role in the Local Economy

In recent years a major challenge facing the community has been how to maintain the unique character and business mix in Berkeley's commercial and industrial areas in the face of rising property values and increasing pressure from chain stores, formula businesses, and "big box" developments. The City has successfully used the Use Permit process and its zoning code to limit the encroachment of businesses that threaten the sometimes delicate balance in neighborhood, commercial, and downtown areas. For example, the City used the Use Permit process to enable the Berkeley Bowl, a unique Berkeley grocery store, to relocate to a new, larger site in South Berkeley. Although the City is not able to govern business ownership types or establish zoning regulations that directly benefit Berkeley-"owned" businesses, the City does use other zoning strategies, such as limits on number of businesses of a certain type that can locate in a particular area. In addition, the City uses economic development programs, such as targeted business lending, to support local businesses and encourage new businesses that will serve local residents in underserved neighborhoods. Through an assortment of regulations and programs the City continues to strive to maintain Berkeley's commercial areas as unique, diverse, commercially successful centers that serve both local and regional needs.

The City has historically taken an active role in guiding economic development to better serve the needs of the community. In 1980, the City adopted its first citywide Economic Development Plan as an amendment to the General Plan. The Plan was soon followed by creation of the Office of Economic Development (OED) in 1985 and the First Source Program, which requires certain new and expanding employers to consider Berkeley residents first in their hiring. The Office of Economic Development currently provides assistance to businesses in site location, financing, economic data, and permit processing; and it manages commercial district revitalization programs and business lending and facade grant programs. In recent years, OED has taken a lead on two major City initiatives: the creation of an "Environmental Economy" initiative promoting environmentally sensitive businesses in Berkeley, and a program to promote and establish the Downtown as a regional center for the arts, culture, and entertainment.

In the early 1990s the City established the Berkeley-Oakland Recycling Market Development Zone (RMDZ) as part of a strategy to increase the number of environmental businesses in Berkeley. This was followed in 1993 with a formal adoption of the "Environmental Economy" initiative. Also in 1993, the City adopted the *West Berkeley Plan*, which establishes an economic development strategy to maintain manufacturing in the mix of West Berkeley uses. In 1997 the City revised the Zoning Ordinance to implement the West Berkeley Plan. In 2000 the City adopted further revisions to provide appropriate locations for recycling uses, and other uses consistent with the West Berkeley Plan and the City's Environmental Economy initiative.

During the 1990s the City has pursued a successful strategy to encourage the development of the arts and entertainment as a Downtown revitalization strategy. With adoption of the 1990 Downtown Plan and the awarding of Main Street status to the Downtown in the same year, the City began to take steps to improve the Downtown as a prime location for arts and entertainment. For example, the Downtown Plan established a cultural density bonus (see the Land Use Element) that provided additional development opportunities to projects in the Downtown that dedicated space to arts and cultural uses.

In 1995, the City adopted the Downtown Berkeley Public Improvements Plan, which seeks to integrate needed capital improvements with a strategy for the ongoing economic development of Downtown Berkeley. The Public Improvements Plan was followed in 1996 by the passage of Measure S, which provided much needed funding for a variety of Downtown streetscape public improvements and \$300,000 for public art. Since passage of Measure S, the City has improved Addison Street, the central spine of the Arts District, with new sidewalks, streetlights, public art, and built-in electrical and sound systems to create an outdoor performance space on the street. The City also updated and expanded the Civic Arts Grant Program, which provides grants to non-profit arts organizations, and established the Public Art Program, which provides a 1.5 percent contribution from all public capital projects to an annual citywide public art grant program. Finally, the City's arts revitalization strategy has resulted in expansion of the Berkeley Repertory Theatre and plans for the eventual relocation of a number of new arts and cultural uses to the Downtown arts district including: the Freight and Salvage Coffee House, the Jazzschool, the Shotgun Players Theatre Company, possibly a museum of Jewish culture and history, and the Aurora Theatre.

ELEMENT OBJECTIVES

The policies and actions of the Economic Development and Employment Element are intended to achieve the following nine objectives:

1. Provide a variety of jobs with varied skill levels for residents of Berkeley.
2. Promote community and neighborhood values.
3. Support businesses that are independent, locally owned, and neighborhood-serving.
4. Encourage environmentally sustainable business.
5. Promote revitalization in neighborhoods and communities that have historically higher-than-average rates of unemployment.
6. Promote a strong industrial base as a vital foundation of a stable economy.
7. Increase social and economic equity in land use decisions.
8. Support culture and the arts in Berkeley.
9. Promote general retail businesses and a variety of cultural, recreational, entertainment, and public sector activities in the Downtown to ensure that the Downtown will remain a vital, attractive, and unifying center for the city.

POLICIES AND ACTIONS

Policy ED-1 Employment and Training

Increase the number of jobs that go to Berkeley citizens by coordinating economic development efforts with employment placement. (*Also see Transportation Policy T-15.*)

Actions:

- A. Work with job training programs and encourage training for life skills, job readiness, and specific target industries, including industrial companies in West Berkeley.
- B. Provide labor market information from data sources and industry sectors to local educational institutions and training agencies for adults and youths.
- C. Coordinate City employment and job training programs with the University of California, Vista College, and other local educational institutions.
- D. Encourage the University to hire Berkeley residents.
- E. Encourage the Berkeley Unified School District to provide education and job skills appropriate to jobs in Berkeley and the region.
- F. Create a collaborative process among the City, employers, and local disability/minority organizations to provide access to economic and artistic opportunities and development services for all people through education, technical assistance, and economic incentives.
- G. Develop and implement employment programs to assist citizens with temporary and permanent employment.
- H. Establish agreements with major employers to provide job training for Berkeley youth similar to the Bayer biotech agreements.
- I. Strengthen and improve the administration and performance of the First Source Program, and establish better links between the First Source Program and the Office of Economic Development.
- J. Consider development of an ordinance that requires that a percentage of Berkeley residents be hired for publicly funded construction jobs.

Policy ED-2 West Berkeley Industry

Continue to implement the West Berkeley Plan, with its central emphasis on protecting and strengthening the city's manufacturing sector. (*Also see Land Use Policies LU-33 and LU-34.*)

Actions:

- A. Publicize the economic, social, and environmental benefits of industry, emphasizing the health of Berkeley manufacturing, the "high-tech" dimensions of industry in Berkeley and the United States, manufacturing's comparatively high "multiplier" effect on the economy, and the community value of well-paying, high-benefit, low-bar-of-entry industrial employment.
- B. Work with the West Berkeley Association of Industrial Companies and the sustainable business associations to maintain West Berkeley's attractiveness as a site of manufacturing and to facilitate relations with other business in West Berkeley and with West Berkeley residents and community members.
- C. Continue to evaluate the effectiveness of the West Berkeley Plan.
- D. Focus business assistance and economic development efforts in West Berkeley on retention and expansion of industrial and Environmental Economy businesses.

- E. Examine use of land trusts, investment loans and funds, and business incubators to preserve land and buildings for industrial uses.

Policy ED-3 Local Business

Promote policies, programs, and services that support a diverse local economy providing a range of goods and services, that support existing local businesses, and that encourage new, independent business ventures. (*Also see Land Use Policy LU-13.*)

Actions:

- A. Continue to provide low-interest loans to encourage and support local small businesses.
- B. Implement a small business preference program that would support local businesses.
- C. Implement a "Shop Berkeley Program" that would educate the public about the benefits of independent, community-serving enterprise and encourage the patronage of local businesses.
- D. Maintain City purchasing policies that support local businesses.
- E. Develop and implement planning and zoning mechanisms that promote community-serving commercial diversity and that limit development of undesirable chain stores, formula businesses, and big-box developments without limiting the ability of local businesses to grow and expand and, when needed, to establish additional outlets in various parts of the city.

Policy ED-4 Neighborhood and Avenue Commercial Districts

Provide programs and services to assist neighborhood and avenue commercial districts. (*Also see Land Use Policies LU-26 and LU-27.*)

Actions:

- A. City efforts in neighborhood and avenue commercial zones should:
 - 1. Assist with the retention and development of existing businesses or attract new businesses that serve local neighborhood needs.
 - 2. Implement capital improvements and expand façade grants to restore original and historic facades.
 - 3. Maintain adequate levels of police presence.
 - 4. Maintain adequate street and sidewalk cleaning for all commercial districts.
 - 5. Enhance the pedestrian orientation of all shopping districts.
- B. Maintain a diverse mix of commercial goods and services in the shopping districts. Use needs assessments to determine what basic goods and services are lacking, and establish criteria of appropriateness for neighborhood businesses that address the following issues:
 - 1. Availability of basic goods and services that are affordable to local residents.
 - 2. Local ownership.
 - 3. Employment for local residents at living wages.
 - 4. Environmental impact on adjacent neighborhoods and businesses, for example, traffic, noise, and air pollution.
 - 5. Impact on the viability of other business districts and quality of life in other neighborhoods in the city.

Policy ED-5 Merchants and Neighborhood Associations

Encourage merchants and neighborhood associations and other groups to enhance business districts and to meet the needs of adjacent neighborhoods. *(Also see Citizen Participation Policy CP-10.)*

Policy ED-6 Customer Access and Convenience

Improve customer access to Berkeley businesses. *(Also see Transportation Policies T-2, T-3, T-25, T-31, T-32, T-34, T-36, and T-41.)*

Actions:

- A. Support streetscape and facade design that makes it easier to identify businesses and more pleasant to shop at them.
- B. Create a free shuttle system that circulates throughout the city's commercial districts frequently enough to generate a reliable supply of riders.
- C. Use improved enforcement to limit all-day parking at parking meters and short-term parking spaces, and reset meter timing to better meet the needs of the commercial district visitors and shoppers.
- D. Support and encourage delivery systems in Berkeley as a means to reduce customer parking demand in commercial areas.
- E. To maximize parking for customers, create local shuttles, carpools, or options to reduce driving to work by employees, particularly those who live in Berkeley.
- F. Implement parking validation programs with local merchants.

Policy ED-7 Environmental Economy

Improve the environmental profile of all economic activity in Berkeley and promote Berkeley as a regional center for environmentally responsible business.

Actions:

- A. Target environmental businesses for technical assistance, business retention, expansion, and attraction. Establish definitions and criteria for environmental and green businesses, sensitive business practices, environmental products, services, and resources, and green building and design practices.
- B. Promote environmentally sensitive business practices in all business.
- C. Develop local and regional alliances to maximize institutional links, improve public information and marketing, mobilize resources, and build the infrastructure to support the green economy in Berkeley. Build a partnership of businesses, local government, the University of California and local nongovernmental organizations in support of the environmental economy in Berkeley.
- D. Improve public information and marketing of environmental products, services, and resources.
- E. Expand awareness regarding the "green" economy and its possibilities by business, policymakers, and the general public.

- F. Develop and implement incentives, marketing assistance, and technical assistance to green businesses.
- G. Maintain and improve City “green purchasing” procurement policies.
- H. Promote “green” building and design practices that improve occupant health and comfort while minimizing negative effects on the environment. Support demonstration projects that model green building, eco-efficiency practices, and alternative transportation projects. (*Also see Environmental Management Policy EM-5.*)

Policy ED-8 Capital Improvements

Implement capital and transit improvements to support the local economy. (*Also see Transportation Policies T-29, T-35, and T-36 and Land Use Policies LU-20, LU-26, and LU-27.*)

Actions:

- A. In West Berkeley, improve circulation and access in commercial and manufacturing areas with truck routes, bus shelters, bus stop lighting, and where appropriate, sidewalks.
- B. In region-serving commercial districts, such as the Downtown, University Avenue, Fourth Street, Adeline/Ashby, San Pablo Avenue, and Telegraph Avenue commercial districts, make parking improvements where needed, transit and shuttle service improvements, lighting improvements, and other improvements that will support local businesses.
- C. When considering public improvements in commercial districts, ensure that preservation of historic elements to maintain district individuality is considered.
- D. In the Downtown, implement projects and capital improvements that support the Downtown as the civic, cultural, commercial, and entertainment center of Berkeley.

Policy ED-9 Local Funding

Encourage local efforts to fund additional services and improvements for business districts, such as business improvement districts, redevelopment areas, and assessment districts.

Policy ED-10 The Downtown Economy

Continue to diversify, revitalize and promote the Downtown as the civic, cultural, commercial, and entertainment center of Berkeley. (*Also see Land Use Policy LU-16.*)

Policy ED-11 Arts and Culture

Promote Berkeley locally and internationally by taking actions to support the development of arts and culture in Berkeley. (*Also see Land Use Policy LU-19 and Urban Design and Preservation Policies UD-36 and UD-38.*)

Actions:

- A. Develop a Cultural Plan that establishes citywide goals and strategies to support and develop local arts, culture, and entertainment. The Cultural Plan should promote the city's arts, identify partnership opportunities between the City, nonprofits, and other arts agencies, and establish fund-raising strategies.
- B. Implement policies and programs to expand performance, visual, and public art.

- C. Encourage and support community and business participation in the development of the arts and culture in Berkeley.
- D. Continue to provide grants and technical assistance to artists and arts organizations.
- E. Promote understanding and awareness of Berkeley's architectural and cultural past.
- F. Coordinate arts and cultural activities in the city and on the University of California campus through scheduling, siting and access planning.
- G. Establish a task force or other body to examine the effects of gentrification on the arts community and develop tools to counter the negative effects.
- H. Identify existing public and private locations such as churches and schools that might be appropriate for artistic and cultural events.

Policy ED-12 Promoting Berkeley

Promote Berkeley as a location for appropriate business, visitor, and conference destination. (*Also see Urban Design and Preservation Policy UD-38 and Land Use Policy LU-17.*)

Actions:

- A. Develop and distribute marketing materials that showcase and enhance Berkeley as a positive business location within the region.
- B. Coordinate efforts with the Berkeley Chamber of Commerce, the Convention & Visitors Bureau, and the University's cultural programs and facilities.
- C. Develop, maintain, and distribute economic and demographic information pertaining to the Berkeley economy.
- D. Promote Berkeley as a city with high-quality architectural design and historically significant buildings and districts.

URBAN DESIGN AND PRESERVATION ELEMENT



INTRODUCTION

The Urban Design and Preservation Element includes the subjects usually called “historic preservation” and “urban design,” but it is not limited to them. With special emphasis on visual character and cultural meaning, it addresses Berkeley’s whole built environment—by which is meant here not just buildings but also urban landscape features such as gardens, streets, and parks. The Element’s intended scope is comprehensive, covering entities both large and small: broad patterns such as general building scale and “grain” but also little things like the trees and lampposts on a street or the decorative features on an old house or a new store.¹

The citizens of Berkeley have a long tradition of caring about the development and the quality of their built environment. Berkeley was one of the first cities in the country to establish a Planning Commission (1915) and to enact zoning regulations.

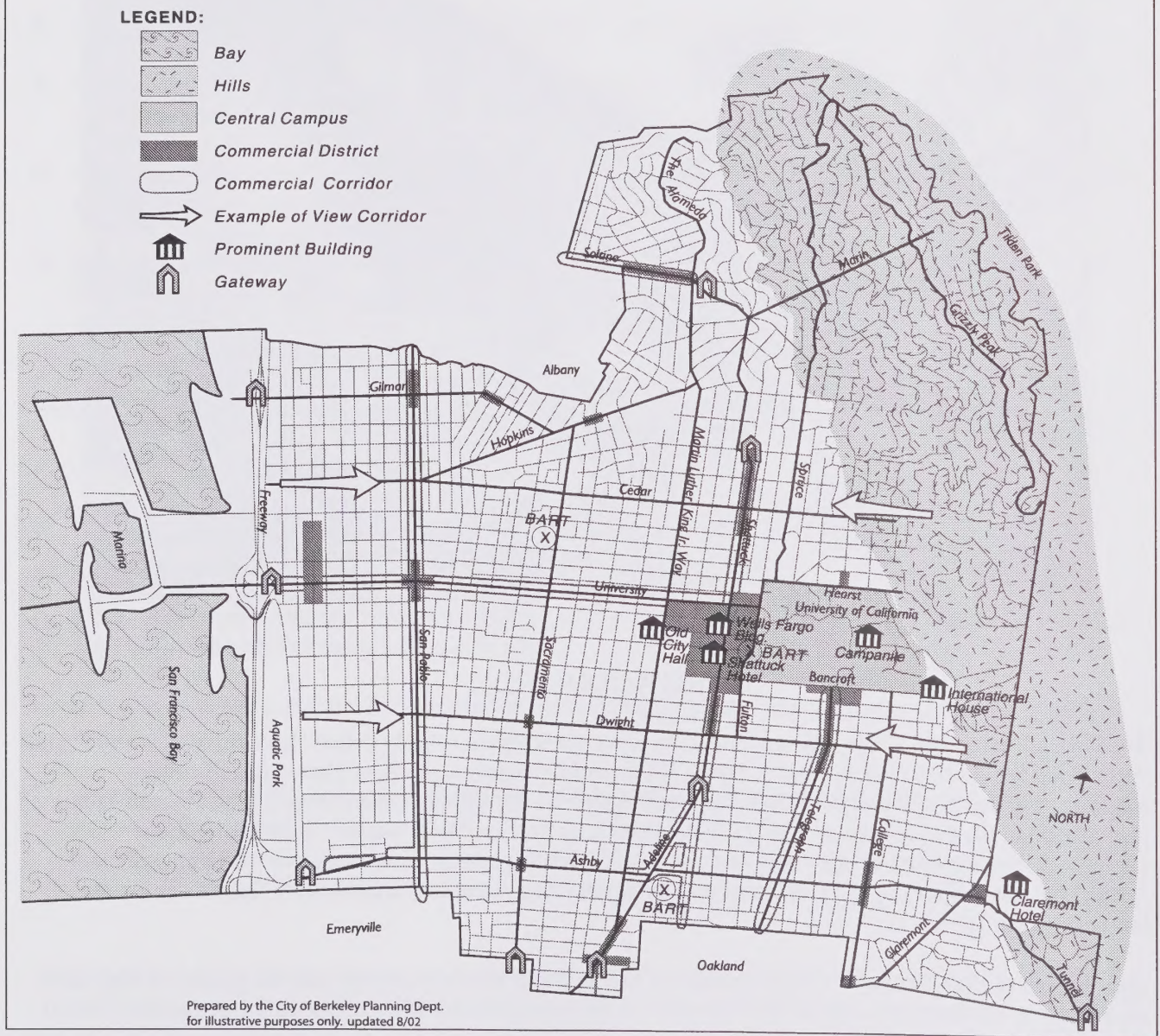
POLICY BACKGROUND

Major Urban Design Features

Figure 24 depicts some of Berkeley’s most significant urban design features.

¹ Graphic improvements and additions have been made with assistance from John English and the Berkeley Architectural Heritage Association.

Figure 24: Some Major Urban Design Features



Natural Setting

'Berkeley's original setting has changed considerably. The shoreline has been pushed westward by filling. On the city's opposite side, hilltops and slopes have been altered. Across the terrain, open fields and native vegetation have given way to a whole city with its structures, streets, and introduced plant species.

But what remains is basic and powerful, yet in need of protection. There are striking views, especially the silhouette of the hills and the panorama of the Bay, and the bright afternoon light culminating in gorgeous

sunsets behind the Golden Gate. Less conspicuous but significant, some creek segments are still open to the sky. '

The Built Environment

Berkeley has within its borders a remarkably appealing and diverse wealth of buildings and landscapes aptly reflecting the city's rich and significant history. Most of its buildings were constructed between 1875 and 1940: a fact that has everything to do with Berkeley's essential physical character today. Notably, the expression here of the Bay Region's response to the Arts and Crafts Movement, inspired around the turn of the century largely by the city's natural setting, has given Berkeley a particular architectural distinction.



The story of how Berkeley developed can largely be read by just viewing the urban tapestry itself. Building styles, which are usually quite traceable to particular periods, tellingly vary from area to area and often from street to street. In some places, different stages of development are revealed by an occasional remnant Victorian, or by the area's general mixture of later styles. The early transportation hubs can still be detected by the evidence of commercial centers and building clusters from different decades.

Broadly speaking, the areas close to the University and Downtown had their initial construction in the 19th Century, though many of them were later substantially rebuilt. West Berkeley, and the village of Lorin in



South Berkeley, also had their start in the 19th Century. The initial pattern was a response to the original transportation system of boats, streetcars, and trains. The areas in between remained largely open for some time then filled in, especially in the 20th Century's first three decades. The expanded suburban development in the hills followed the opening of new streetcar lines, the 1906 earthquake, and ultimately the common use of the automobile.

Unfortunately, Berkeley has lost many of its important historic buildings and landscape features, while others are potentially threatened. And while in recent decades there has been much notably good new construction, there have also been many poorly designed new buildings that are incompatible with the design and scale of the older structures around them.

Neighborhoods and Districts

To a large degree, the "building blocks" of Berkeley's character and image are its many specific neighborhoods and districts. Berkeleyans identify strongly with the particular areas they live, work, or shop in, and with the distinctive building features and landscapes that define them.



A number of neighborhoods were conceived as "planned neighborhoods," with special amenities such as parks or entrance pillars. Other neighborhoods began as routine subdivisions, but in recent decades efforts have been made to improve some of them by adding amenities like mini-parks and traffic-control devices.

A few of Berkeley's most notable neighborhoods and districts include the following:

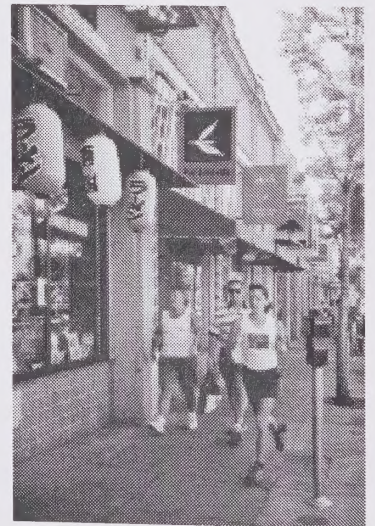
- West Berkeley is an area comprised of a number of subareas (some in themselves much more homogeneous than others), but overall having by far Berkeley's widest range of building and site types, from a 5,700-year-old shell mound site to Victorian buildings reflecting Berkeley's earliest '49er settlement to bold factory forms expressing the district's longstanding industrial role to sleek new commercial buildings and high-tech start-ups.
- The Telegraph or "Southside" area has been greatly affected by post-1950 University expansion but has retained many important remnants of the old college-oriented neighborhood. It is now nationally known for its vibrant main commercial street, and enjoys direct proximity to UC's main campus (the latter itself compromised in recent decades, but still anchored by the splendid complex of Beaux-Arts buildings at its heart and graced by generous open glades, tree clusters, and Strawberry Creek).



- The Northside has also been heavily impacted by post-1950 change (not to mention the 1923 fire and subsequent rebuilding), but still displays enough fine early buildings and street features to remind us of the area's close connection with Bernard Maybeck and the Hillside Club and its crucial role in the Arts and Crafts Movement and the "First Bay Tradition" of architecture.
- The Downtown (at left) is a rare example of a commercially viable downtown of this size which, although it has lost many of its grand Beaux-Arts buildings, still retains its basic early-20th-Century feel, with generally cohesive massing and scale and

common decorative themes from that period. It thereby enjoys a unique competitive advantage over other cities' chaotic or bland commercial centers.

- The Elmwood shopping district is a memorably compact, clearly bounded area with basically quite consistent building styles (at right).
- The "San Pablo Park" neighborhood is a planned area, this one highlighted by the unusually big open space that was reserved in its middle (below).
- The Northbrae district (consisting of several related tracts, such as Northbrae Terrace and Berkeley Heights, that were subdivided between 1907 and 1910) is a planned community with pleasantly curving streets, native-stone pillars along The Alameda, and several small parks.



A full list of Berkeley's neighborhoods and districts would be very lengthy. In some of them the building styles are quite consistent, while other areas are architecturally more composite. Some neighborhoods and districts now have a clearer identity, and stronger "image," than others. But for a full understanding of Berkeley's character and potential, all the areas are important.

Recognizing the particular character of areas, the City Council has

adopted a series of area plans, including the Waterfront Plan (1986), Downtown Plan (1990), South Berkeley Plan (1990), West Berkeley Plan (1993), South Shattuck Strategic Plan (1997), and University Avenue Strategic Plan (1997).

Existing Preservation and Design Programs

Berkeley now has a number of regulations and other programs to protect and enhance the built environment through preservation and good design, including those listed below and the programs described in the other elements of this General Plan.

Neighborhood Preservation Ordinance - In 1973 the citizens of Berkeley—responding to a period during the 1950s, 1960s, and early 1970s of unchecked demolition and inappropriate replacement construction—voted into law by popular acclaim the Neighborhood Preservation Ordinance. It was the first of its kind in the country. The NPO established tight restrictions on demolition of residential structures and established public hearing requirements for housing projects. Most of the NPO has by now been incorporated into the Zoning Ordinance.



Landmarks Preservation Ordinance - In 1974 the City Council, reflecting widespread concern about loss of historic resources, adopted the Landmarks Preservation Ordinance (LPO). The ordinance created the Landmarks Preservation Commission (LPC), composed of nine Berkeley residents each appointed by the Mayor or another member of the City Council. The LPO gives the Commission authority to make landmark, structure of merit, and historic district designations. Proposals for designation can be initiated by private application or petition, by the LPC itself, or by the City Council,

Planning Commission, or Civic Arts Commission. The LPC also reviews permit applications for alteration, construction, or demolition of landmarks, structures of merit, and structures in historic districts.

The Landmarks Preservation Ordinance establishes criteria that the LPC must use when considering proposed landmark and historic district designations. They are as follows:

1. *Architectural merit:*
 - a. *Property that is the first, last, only or most significant architectural property of its type in the region.*
 - b. *Properties that are prototypes of or outstanding examples of periods, styles, architectural movements or construction, or examples of the more notable works of the best surviving work in a region of an architect, designer or master builder, or*
 - c. *Architectural examples worth preserving for the exceptional value they add as part of the neighborhood fabric.*
2. *Cultural value: Structures, sites and areas associated with the movement or evolution of religious, cultural, governmental, social and economic developments of the City.*
3. *Educational value: Structures worth preserving for their usefulness as an educational force.*
4. *Historic value: Preservation and enhancement of structures, sites and areas that embody and express the history of*



Berkeley/Alameda County/California/United States. History may be social, cultural, economic, political, religious or military.

5. Any property which is listed on the National Register described in Section 470A of Title 16 of the United States Code.

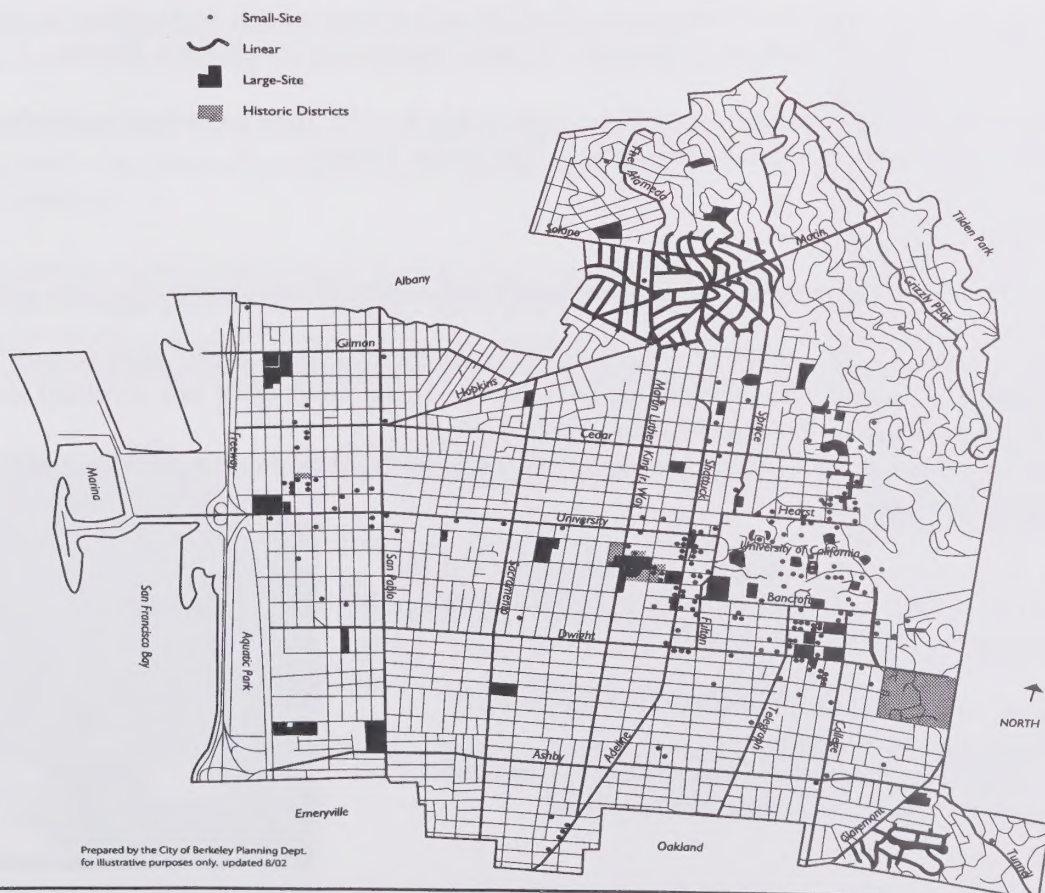
Criteria that the Commission must use when considering a structure for structure of merit designation are as follows:

1. General criteria shall be architectural merit and/or cultural, educational, or historic interest or value. If upon assessment of a structure, the commission finds that the structure does not currently meet the criteria as set out for a landmark, but it is worthy of preservation as part of a neighborhood, a block or a street frontage, or as part of a group of buildings which includes landmarks, that structure may be designated a structure of merit.

2. Specific criteria include, but are not limited to one or more of the following:

- a. The age of the structure is contemporary with (1) a designated landmark within its neighborhood, block, street frontage, or group of buildings, or (2) an historic period or event of significance to the city, or to the structure's neighborhood, block, street frontage, or group of buildings.
- b. The structure is compatible in size, scale, style, materials or design with a designated landmark structure within its neighborhood, block, street frontage, or group of buildings.
- c. The structure is a good example of architectural design.
- d. The structure has historical significance to the city and/or to the structure's neighborhood, block, street frontage, or group of buildings.

Figure 25: City-Designated Landmarks, Structures of Merit and Districts
as of November 2001



As of November 2001, the City had designated 209 landmarks, 28 structures of merit, and 3 historic districts. Figure 25 shows the locations of those designated historic resources.

Non-Residential Building Protection Ordinance - In 1982 the City Council adopted the Non-Residential Building Protection Ordinance (since merged into the Zoning Ordinance) to require a Use Permit for proposed demolitions of commercial and other nonresidential buildings, and require referral to the LPC for review where such a structure is 40 or more years old.



Surveys - The Landmarks Preservation Commission maintains an ongoing list of properties for potential designation. In 1977-1979 the Berkeley Architectural Heritage Association in conjunction with the City, with a grant from the State Office of Historic Preservation, did a survey and documentation of about 650 structures and sites, known as the "State Historic Resources Inventory." It was a representative survey rather than a full compendium. In 1978 BAHA, with a grant from the San Francisco Foundation, did a detailed survey of Downtown. In 1987 it closely appraised much of West Berkeley. Concentrated surveys have also been done in a few other areas. However, most of the City still has not been surveyed in depth.

Certified Local Government - In 2000, Berkeley was designated a Certified Local Government by the State Office of Historic Preservation. This included certification of the LPO as containing proper procedures and review criteria consistent with State and Federal guidelines for a landmarks preservation ordinance. Under the Certified Local Government program, Berkeley is eligible for Federal preservation grants and survey funding.

Design Review - In 1986, the City Council amended the Zoning Ordinance to include requirements for design review of proposed new construction and exterior alterations in non-residential zones. (Design review is now also required for commercial and mixed use projects in the R-4 multi-family residential zone.) In most cases design review is done by the City staff or Design Review Committee (DRC), depending on the type of permit required. For projects that require a public hearing before the Zoning Adjustments Board, the DRC makes a recommendation to the Board. Projects that involve designated landmarks, structures of merit, or historic districts are reviewed by the Landmarks Preservation Commission. Various design guidelines have been adopted for use in the design review process, some of which apply in all non-residential zones and some of which apply in the Downtown area.

In 1997, the City adopted a comprehensive set of design guidelines for Downtown Berkeley. The guidelines are intended to assist project designers, City staff, and City decision makers with the design review process in the Downtown. The Downtown design guidelines may serve as a model for future design guidelines for other Berkeley districts. In 2000, the City issued a draft set of comprehensive guidelines for the Southside area. The Planning Commission is currently reviewing those guidelines with the rest of the draft Southside Plan.



Other Zoning Controls - The Zoning Ordinance also contains various other relevant controls, which give some protection to Berkeley's built environment and regulate the size, height, bulk, and configuration of new buildings.

Benefits of Preservation and Good Design

Keeping older buildings and landscape features and ensuring good new design offer many important advantages, including:

1. Economic Benefits:

- a. Stability of Residential and Commercial Areas - The city's special character can be a powerful tool for the economy as well as community identity. When public policy clearly favors preservation and good design, this gives a level of stability that helps attract investment.
- b. Cost and Time Savings - Fixing up an old building sometimes costs less and takes less time to complete than constructing a new one of the same size for the same use.
- c. Conservation of Natural Resources - As opposed to new construction, rehabilitation uses a smaller amount of building materials and less energy.
- d. Opportunities for Small Business - Older buildings often have kinds of spaces that are especially suited to small companies and start-ups.
- e. Economic Growth - A strong visual identity helps attract visitors, customers, and businesses.

2. Community Identity:

- a. Beauty - Older buildings, well-designed new buildings, and appropriate landscape features very often have a beauty valuable for its own sake.
- b. Continuity - Older buildings, quality new buildings, and good landscaping provide a sense of permanence and well-being.
- c. Understanding - Older buildings give an enhanced understanding of who we are, where we have been, and where we might be going.

Protection of Existing Resources



It is vital to preserve historically or culturally significant individual structures and sites, but it is also important to look well beyond that. Individual historic resources must be considered within the context of groups of buildings, the streetscape, areas and neighborhoods, and indeed the city as a whole.

Special attention should be given to protecting not just "historic districts" as such but also areas in general that are visually cohesive or have a desirable strong character. Potentially useful for at least some of these is the concept known as a "conservation district," which a

number of other cities use to tailor regulation to the situations in distinctive areas that may not qualify as historic districts per se but which nonetheless deserve special protection.

Rather similarly, concern is needed for vernacular buildings ("ordinary" ones characteristic of their times or locales) that may not be individually "significant" but which do have visual interest, and which in the aggregate make up most of Berkeley's good urban fabric.





Concern is of course needed not just for desirable buildings (or aggregations or portions of buildings) but also for good landscape elements, whether natural or man-made. Among other things these include gardens, which so often greatly enhance their surroundings; the so-called "urban forest," composed by trees on streets, on private lots, and in public open spaces; natural features such as Founders' Rock; and various kinds of outdoor structures such as decorative fences, ornamental public stairways (like the one on Orchard Lane), and historic lamp posts or entry pillars.

Protection is needed even for some things which are unseen or undiscovered. Archaeological resources, the material remains of past cultures or periods, often remain hidden till the ground is opened up for construction or utility work.

Looking beyond ordinary circumstances, we must anticipate how our buildings and landscape elements may be affected by the inevitable next big earthquake, firestorm, or other major disaster, and by the various pressures and demands of the immediate post-disaster period.

Financial Incentives for Preservation

A comprehensive preservation strategy cannot rely wholly on controls against doing things. It needs also to include positive rewards. Requiring property owners to preserve their properties and forgo future development opportunities has financial implications for those property owners. Therefore a preservation program should include financial incentives that help to mitigate the financial costs to the property owners of preservation requirements. Although various incentive programs are already to some extent operational in Berkeley, much more can and should be done.

Incentives for preservation may take any of several general forms, including direct grants or loans, tax-reduction mechanisms, special exceptions from regulations or regulatory procedures, and provision of technical assistance. They may be available from various sources, including the City, other governments, and/or private or nonprofit organizations.

Specific incentives that are presently or potentially available include:

- The State Historical Building Code (for certain qualified historic buildings, this allows using alternatives to various normal code requirements that would otherwise be costly and/or impair the building's character).
- The Federal Government's Rehabilitation Tax Credit (for major work of appropriate design on certain historic or old buildings to be used at least in substantial part for income-producing purposes, this allows specified percentages of the cost to be credited against income tax).
- Mills Act contracts (for certain historic properties, whether commercial or residential, a city and the owner can make a 10-year, renewable contract to reduce property tax in exchange for the building's being preserved).



- Façade easements (for qualifying historic buildings, whether commercial or residential, the owner can donate to a city, or to a nonprofit organization with a relevant program, an easement which guarantees that the façade will remain, and in exchange can get a property-tax reduction).

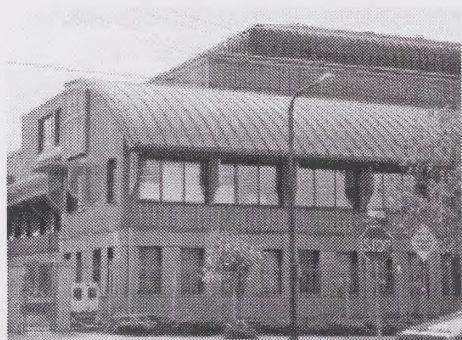


be used to provide loans or grants for qualifying rehabilitation projects, which may involve historic buildings).

- State park-bond funds (some of this grant money can be used to rehabilitate buildings that are publicly owned or controlled, potentially including ones for which a façade easement has been donated to a city).
- Marks Act Historical Rehabilitation Bonds (local governments can issue these and use the proceeds to make loans for rehabilitating historic commercial properties).
- Community Development Block Grants (CDBG money can

- Technical assistance (governments and other organizations can give free or low-cost advice on how to properly maintain or alter buildings).

Design of New Buildings and Alterations



station, are presently in the works. More are sure to come, both Downtown, where revitalization is well underway, and in other parts of town. Streetscapes and landscapes are also undergoing renovation and will continue to do so.

Over the twenty-year term of the General Plan, Berkeley will continue to evolve architecturally. Though the city is largely “built out,” it still offers numerous and varied opportunities for renewing the urban fabric. Old buildings will live out their useful lives and be replaced. Many sites, particularly along commercial streets, are now occupied by nondescript and unsightly structures. Major new projects, such as Vista College, Library Gardens, and the Oxford parking lot development—all in Downtown—and the Ed Roberts Campus at the Ashby BART



New construction presents the citizens of Berkeley with an even more formidable challenge than historic preservation: seeing that the new not

only complements and enhances the old, but that it also makes its own distinctive contribution to the built and natural environments. We need to cultivate vitality in our townscape just as we seek it in other aspects of civic life. To that end, the design review and project approval process should encourage architectural creativity, innovation, and the making of tomorrow’s new landmarks.



Of course, what design is suitable in any specific case significantly depends on the



particular location. A given design that would be welcome in one location could be quite out of place in another. Since areas of the city vary greatly in their intrinsic character and their degree of homogeneity, the design of a new building should be sensitive to these differences.

Outreach



Historic and cultural resources are much more likely to be preserved if citizens are aware of them and believe in their importance. Similarly, new buildings and alterations are much more likely to be conceived and designed suitably if owners and developers understand the broader context and what Berkeley will expect of their projects.

Many parties, including the City and private groups like BAHA, the Berkeley Historical Society, and Berkeley Design Advocates, can and should be involved in the needed outreach.

ELEMENT GOAL

As the Bay Area and California have grown, older cities like Berkeley have become more and more distinctive in character compared to the sprawling suburbs around them. Berkeley remains a city of lively "Main Streets," livable real neighborhoods, and cherished older buildings, all of which contribute to its sense of place and give it a dimension of visual richness and social and economic diversity that the suburbs cannot rival. Berkeley is a highly visible example of a built environment that "works."

The overall goal of the Urban Design and Preservation Element is to:

Protect and enhance Berkeley's special built environment and cultural heritage by carefully conserving the numerous existing good buildings, areas, and other features and ensuring that new elements are so located and designed as to respect and strengthen the whole.

ELEMENT OBJECTIVES

To achieve the Urban Design and Preservation Element goal will require pursuing four objectives:

1. Protection of Existing Resources - Preserve historically or culturally important structures, sites, and areas and protect the character of Berkeley's neighborhoods and districts. (*See the Land Use Element for more policies on the Character of Berkeley.*)
2. Preservation Incentives - Provide incentives for the preservation of historic and cultural resources.
3. New Construction and Alterations - Ensure that new construction and alterations are well designed and respect and enhance the existing environment.
4. Outreach - Promote awareness and understanding of Berkeley's built environment and cultural heritage, and of how to preserve and improve them.

POLICIES AND ACTIONS

PROTECTION OF EXISTING RESOURCES

Policy UD-1 Techniques

Use a wide variety of regulatory, incentive, and outreach techniques to suitably protect Berkeley's existing built environment and cultural heritage.

Actions:

- A. Identify and protect historically significant structures, sites, districts, and neighborhoods. (*Also see Land Use Policy LU-2.*)
- B. Develop a comprehensive program that will indicate, in more detail, needed in-depth surveys and other actions to protect Berkeley's built environment and cultural heritage.
- C. Conserve and update the Landmarks Preservation Ordinance.
- D. Encourage widespread public participation in the identification and designation of historically or culturally important buildings, sites, and areas.
- E. Review and revise the Zoning Ordinance, in general, as appropriate to further the protection of historic and cultural resources.
- F. Take full advantage of all State of California preservation programs such as the Certified Local Government program.
- G. Through code enforcement and other activities, provide early intervention to promote timely upkeep of historic and cultural resources, and thereby avoid continued neglect that could eventually make such resources unsavable.

Policy UD-2 Regulation of Significant Properties

Increase the extent of regulatory protection that applies to structures, sites, and areas that are historically or culturally significant.

Actions:

- A. Continue the designation of additional landmarks, structures of merit, and historic districts as a crucial function in preserving historical resources.
- B. Consider revising the Landmarks Preservation Ordinance so as to prohibit demolition of designated landmarks, except in unusual cases where rigorous prescribed findings are made by the Landmarks Preservation Commission and/or the City Council.
- C. For any public or private project that may adversely affect an archaeological site, consult with the North Central Information Center of the California Historical Resources Information System, require site evaluation as may be indicated, and attempt to prevent or mitigate any adverse impacts.

Policy UD-3 Regulation of Neighborhood Character

Use regulations to protect the character of neighborhoods and districts, and respect the particular conditions of each area. (*Also see Land Use Policies LU-3, LU-4, LU-7, LU-16, LU-17, and LU-21.*)

Action:

- A. Consider the creation of a new regulatory classification of “conservation district” to protect areas with distinctive architectural or environmental characteristics.

Policy UD-4 Inventory

On an ongoing basis, maintain, expand, and update the inventory of historic and cultural resources.

Actions:

- A. Actively expand the inventory of historic and cultural resources, with particular attention to areas where development pressure is expected, and make the inventory results prominently available to citizens and potential developers.
- B. Fully incorporate the identity of inventoried historic and cultural resources into the City’s Geographic Information System and permit system.
- C. Acquire and maintain generalized information on what parts of Berkeley, and which types of sites, are sufficiently likely to contain notable archaeological materials as to warrant further, site-specific investigation.

Policy UD-5 Architectural Features

Encourage, and where appropriate require, retention of ornaments and other architecturally interesting features in the course of seismic retrofit and other rehabilitation work.

Action:

- A. Use design review and establish new effective means to protect architectural features and ornaments that have historical value or visual interest.

Policy UD-6 Adaptive Reuse

Encourage adaptive reuse of historically or architecturally interesting buildings in cases where the new use would be compatible with the structure itself and the surrounding area.

Action:

- A. Add to the primary missions of the City’s Office of Economic Development, the encouragement of adaptive reuse and of the preservation of historic resources.

Policy UD-7 Disaster Preparedness

Encourage and support the long-term protection of historically or architecturally significant buildings to preserve neighborhood and community character. (*Also see Disaster Preparedness and Safety Policy S-11 and Housing Policy H-15.*)

Actions:

- A. Encourage, and where appropriate require, owners of historically or architecturally valuable buildings to incorporate disaster-resistance measures to enable them to be feasibly repaired after a major earthquake or other disaster.
- B. Create incentives for owners of historic or architecturally significant structures to undertake mitigation to levels that will minimize the likelihood of demolition and maximize the ability to repair or avoid damage in the event of a natural disaster.
- C. In preparing for the period after the next big earthquake, firestorm, or other major disaster, establish preservation-sensitive measures including requirements for temporary shoring or stabilization where needed; arrangements for consulting with preservationists; expedited permit procedures for suitable repair or rebuilding of historically or architecturally valuable structures; and, where appropriate, provisions for replanting. Encourage use of FEMA funds for rehabilitation of such structures wherever possible.

Policy UD-8 Public Works Projects

In public works projects, seek to preserve desirable historic elements such as ornamental sidewalk features, lampposts, and benches.

Actions:

- A. Carefully review planned utility undergrounding, sidewalk repair, and other public works projects to avoid unnecessary removal of light fixtures, planting, and other features with historic or aesthetic value.
- B. Establish procedures for the review of work by PG&E, EBMUD, and other agencies responsible for work in the public right-of-way.
- C. Provide for review by the Landmarks Preservation Commission of public works projects involving potential change to desirable historic elements.

Policy UD-9 Trees

Wherever feasible and appropriate, tree replacement should emphasize maintaining historic planting patterns and native species and be consistent with the City of Berkeley 1990 Street Tree Policy or subsequent tree policies. (*Also see Environmental Management Policies EM-28 through EM-33.*)

Policy UD-10 The University of California

Strongly support actions by the University to maintain and retrofit its historic buildings, and strongly oppose any University projects that would diminish the historic character of the campus or off-campus historic buildings. (*Also see Land Use Policies LU-36 and LU-37.*)

Actions:

- A. Actively review the University's "New Century Plan" process, and subsequent revision or replacement of the Long Range Development Plan, and urge UC to fully reflect preservation concerns in that planning.
- B. Explore possibilities for a jointly funded "stewardship" program between the University and the local community groups for the preservation and protection of historic resources on the UC campus and in adjacent neighborhoods.

Policy UD-11 Public Schools

Urge the Berkeley Unified School District to maintain and improve its historic buildings and sites in an architecturally sensitive manner. (*Also see Land Use Policy LU-42.*)

Action:

- A. Maintain close liaison with the Berkeley Unified School District to identify and actively comment on, at an early stage, aspects of impending District projects that could destroy or impair historic resources.

PRESERVATION INCENTIVES

Policy UD-12 Range of Incentives

Seek to maintain and substantially expand the range and scale of incentives that the City and/or other entities make available in Berkeley for the preservation of historic and cultural resources.

Actions:

- A. Continue to encourage owners and developers to make use of the State Historical Building Code where appropriate.
- B. Continue to use some Community Development Block Grant and redevelopment money to assist in rehabilitating structures with historic or cultural value.
- C. Encourage owners of historically or culturally significant buildings to utilize the Rehabilitation Tax Credit and the Mills Act.

Policy UD-13 Regulations

Review zoning and other regulations and procedures, and where appropriate revise them to provide new incentives for preservation and remove or reduce disincentives.

Actions:

- A. Consider possible new permit-fee waivers or reductions, and/or permit fast tracking, for projects that involve preserving historically or culturally significant structures.
- B. Consider waiving or reducing parking requirements for projects that involve rehabilitating significant buildings.

Policy UD-14 Other New Incentives

Consider potential new funding, tax-reduction, and technical-assistance incentives that the City and/or other entities could provide to facilitate preservation.

Actions:

- A. Consider providing new or expanded sources of financial assistance for unreinforced-masonry and other structures, including historically or culturally significant ones that need seismic retrofit.
- B. Consider extending to additional commercial areas the availability of loans or grants for façade improvements.

- C. Establish or expand opportunities for the City, and/or nonprofit organizations, to accept facade easements on qualifying buildings.
- D. Encourage neighborhood and preservation groups to establish local funding partnerships and raise local funds for neighborhood preservation efforts.

Policy UD-15 Partnerships

Continue or establish formal or informal partnerships with other public agencies such as the State Office of Historic Preservation, nonprofit organizations such as BAHA, and the private sector.

NEW CONSTRUCTION AND ALTERATIONS

Policy UD-16 Context

The design and scale of new or remodeled buildings should respect the built environment in the area, particularly where the character of the built environment is largely defined by an aggregation of historically and architecturally significant buildings. (*Also see Land Use Policies LU-3, LU-4, LU-7, LU-17, and LU-21.*)

Policy UD-17 Design Elements

In relating a new design to the surrounding area, the factors to consider should include height, massing, materials, color, and detailing or ornament.

Policy UD-18 Contrast and Cohesiveness

The overall urban experience should contain variety and stimulating contrasts achieved largely through contrast between different areas each of which is visually cohesive.

Policy UD-19 Visually Heterogeneous Areas

In areas that are now visually heterogeneous, a project should be responsive to the best design elements of the area or neighborhood.

Policy UD-20 Alterations

Alterations to a worthwhile building should be compatible with the building's original architectural character.

Action:

- A. In cases where a well-designed building's original character has since been destroyed by a poorly designed remodel, new alterations to reverse those changes can be used to improve the character of the area.

Policy UD-21 Directing Development

Use City incentives and zoning provisions to direct new development toward locations where significant historic structures or structures contributing to the character of the area will not need to be removed.

Policy UD-22 Regulating New Construction and Alterations

Regulate new construction and alterations to ensure that they are individually well-designed and that they are so designed and located as to duly respect and where possible enhance the existing built environment.

Actions:

- A. Continue to require full Use Permits (with public hearings) for all substantial projects, thereby enabling both the imposition of area-sensitive conditions of approval and a ready means for citizen input.
- B. Continue to encourage, and consider requiring, consultation with interested citizen groups in the early stages of a project.
- C. Consider requiring developers to have a formal conference with City staff before they submit actual permit applications.

Policy UD-23 Design Review

Ensure that the design review process ensures excellence in design and that new construction and alterations to existing buildings are compatible with the best elements of the character of the area.

Actions:

- A. Review the existing design guidelines, some of which were formulated over a decade ago, for possible improvements.
- B. Enable and encourage greater citizen input in the design review process.
- C. Explore revisions to the membership requirements for the Design Review Committee to increase the number of design professionals on the Committee and alter the requirement that certain existing board members such as the chair of the Zoning Adjustments Board sit on the Design Review Committee.

Policy UD-24 Area Character

Regulate new construction and alterations to ensure that they are truly compatible with and, where feasible, reinforce the desirable design characteristics of the particular area they are in.

Actions:

- A. In reviewing the design guidelines, give special attention to their adequacy in making projects harmonize with their particular surrounding area.
- B. Consider preparing special sets of design guidelines for selected districts that now lack special area guidelines.

Policy UD-25 Facades and Exterior Features

Buildings should have significant exterior features and facades that stimulate the eye and invite interested perusal.

Policy UD-26 Pedestrian-Friendly Design

Architecture and site design should give special emphasis to enjoyment by, and convenience and safety for, pedestrians. (Also see *Land Use Policies LU-11, LU-20, LU-21, LU-26, and LU-27 and Transportation Policy T-47.*)

Actions:

- A. Use regulatory review to promote pedestrian-friendly design.

- B. Ensure proper placement of elements such as doors and windows, in relation to the sidewalk and streetscape, to ensure pedestrian-friendly design and increase public safety.

Policy UD-27 Relation to Sidewalk

Projects generally should be designed to orient the main entrance toward the public sidewalk, not a parking lot, and avoid confronting the sidewalk with a large windowless wall or tall solid fence.

Policy UD-28 Commercial Frontage

Commercial buildings on streets with public transit generally should have no appreciable setback from that street's sidewalk, except in the case of occasional plazas or sitting areas that enhance the area's pedestrian environment.

Policy UD-29 Signs

Signs should contribute aesthetically to, rather than detract from, the site they are on and the general streetscape.

Action:

- A. Explore and consider ways to achieve removal of unsightly signs, while considering the needs of area merchants.

Policy UD-30 Planting

Ensure that, where feasible, new developments respect and contribute to the urban landscape by retaining existing on-site trees and/or, if appropriate, planting suitable new ones on-site or in the street right-of-way. *(Also see Environmental Management Policies EM-29 through EM-31.)*

Policy UD-31 Views

Construction should avoid blocking significant views, especially ones toward the Bay, the hills, and significant landmarks such as the Campanile, Golden Gate Bridge, and Alcatraz Island. Whenever possible, new buildings should enhance a vista or punctuate or clarify the urban pattern.

Policy UD-32 Shadows

New buildings should be designed to minimize impacts on solar access and minimize detrimental shadows.

Action:

- A. In appropriate cases where a project could have significant impact on views or access to sunlight, require evaluation of those potential impacts.

Policy UD-33 Sustainable Design

Promote environmentally sensitive and sustainable design in new buildings. *(Also see Environmental Management Policies EM-5, EM-8, EM-26, EM-35, and EM-36.)*

Actions:

- A. Promote compliance with green building standards for solar accessibility and orientation, energy efficiency, etc.
- B. Encourage use of recycled building materials.

- C. Establish guidelines that will help to integrate environmentally sensitive and sustainable designs into the built environment.

Policy UD-34 Public Art

Support, present, and encourage others to support or present works of public art.

Policy UD-35 Public Improvements

Undertake, and/or participate in, major improvement projects aimed at making the streetscape more enjoyable, clarifying and strengthening the urban pattern, and generally enhancing Berkeley's physical character. Public works projects should be designed to make it easier for people to orient themselves within Berkeley and understand and appreciate the city's various districts and neighborhoods, as well as to generally enhance the urban environment.

Actions:

- A. Continue to use interdepartmental review to help achieve suitable design of City improvement projects.
- B. Remove existing features that detract from the cityscape, such as unsightly signs and overhead utilities.
- C. Emphasize the special characteristics of each district and neighborhood through distinctive public landscaping, street lighting, and pedestrian amenities.
- D. Recognize and identify district centers, boundaries, and gateways with distinctive landscaping and physical design improvements.
- E. Use pedestrian-scale lighting, wide sidewalks, street trees, gateway features, and other public improvements to reinforce and enhance residential and commercial area character and identity, and improve conditions for pedestrians, bicyclists, and transit riders.

OUTREACH

Policy UD-36 Information on Heritage

Promote, and encourage others to promote, understanding of Berkeley's built and cultural heritage, the benefits of conserving it, and how to sensitively do that.

Actions:

- A. On an ongoing basis, make readily available to the public the identity of historic and cultural resources that have been officially designated or have been found to be important by the City's inventory.
- B. Continue the existing program for putting plaques on significant buildings and sites.
- C. Promote, or encourage others to promote, guided and self-guided tours of historic and cultural resources.
- D. Encourage the Berkeley Unified School District to incorporate into its curricula instruction about Berkeley's history and built heritage.

Policy UD-37 Information on Incentives

Distribute, and encourage others to distribute, information on the incentives available to assist in preservation.

Actions:

- A. Give, or encourage others to give, public recognition to outstanding examples of preservation work.
- B. Prepare a summary booklet about preservation programs in Berkeley, the benefits of preservation, and available incentives for it, and make this booklet available at prominent locations including libraries and the Permit Service Center.

Policy UD-38 Tourism

As an economic development strategy, promote the city's cultural and architectural heritage.

Action:

- A. Promote the Civic Center as a historic resource listed on the National Register of Historic Places.

Policy UD-39 Information on Designing New Buildings

Promote, and encourage others to promote, understanding of how new buildings and alterations should be designed to provide good facilities that respect and enhance their context.

Actions:

- A. Make the City's design review guidelines widely available.
- B. Give, or encourage others to give, public recognition to good examples of suitably designed new buildings and alterations.

CITIZEN PARTICIPATION ELEMENT



Berkeley's original City Hall is now a National Register-listed City Landmark and the site of the City Council's Tuesday evening meetings.

INTRODUCTION

The City of Berkeley has a long and rich history of citizen participation. While an element dealing with citizen participation is not, under State law, a required part of the General Plan, such an element formed an important part of the 1977 Berkeley General Plan. The presence of such an element acknowledges the importance of the participation philosophy that forms such a vital part of Berkeley public life.

POLICY BACKGROUND

The General Plan, Area Plans, and the Planning Process

This General Plan update, which originated about 15 years ago, together with recent area planning such as for the Southside Plan, ought to provide valuable lessons for Berkeley in how and how not to proceed in its planning processes in the future. What is needed is intelligent planning about planning. What has been learned is that citizens must be continuously and significantly involved in formulating, writing, and presenting the General Plan, area plans, and other planning documents.

Crucial Decision-Making Bodies

Citizen participation takes place in the arena of policy-making and advisory citizen bodies, such as the Berkeley City Council, the Planning Commission, the Zoning Adjustments Board, the Parks and Recreation Commission, the Transportation Commission, the Landmarks Preservation Commission, and several other boards and commissions. If these entities are not structured in such a way as to facilitate hearing and considering citizen voices, all the excellent notification, important information, new

technology, and staff enhancements, which will be discussed below, will not be sufficient. Also, much of what is relevant to Berkeley citizens in terms of planning and action in the areas of transportation, housing, density, community safety, and many other important areas takes place in arenas outside of the structure of Berkeley City government. The University of California, the Berkeley Unified School District, the Association of Bay Area Governments, the Bay Area Rapid Transit District (BART), AC Transit, and several other less well-known but crucial public agencies make important decisions that affect the lives of Berkeley citizens. At present, Berkeley City government does not provide clear, well-publicized avenues through which Berkeley citizens can effectively participate and influence these important public agency decisions.

Notification, Information, and Citizen Input: the Planning Commission and the Zoning Adjustments Board

For effective citizen participation to flourish, excellent notification procedures are essential. Citizens cannot participate if they are not informed that something is going to happen. Mere notification, however, is insufficient. Citizens also require appropriate information and adequate time to respond. Further, without an effectively structured forum for presenting citizen input, even notification and information fall short of what a well-governed city must provide. The policies in this Element on notification thus deal with the methods for insuring that notification is as thorough as a well-administered city can provide, and also that after notification there is information and time available to insure effective citizen participation in receptive and responsive settings.

The Planning Commission is the most important City body for citizen participation in land use planning decisions other than the project context of the Zoning Adjustments Board. The Planning Commission addresses long-term planning issues of general interest and broad scope, such as the citywide General Plan, area plans, amendments to the Zoning Ordinance, land use changes, development agreements, and many other matters of general interest and importance to all Berkeley residents.

The Zoning Adjustments Board (ZAB) is the most important City body for citizen participation in review of development projects. By far the largest percentage of notifications from the City of Berkeley in land use matters are issued by the Current Planning Division and involve Use Permits for development applications. These notices generally fall into two groups: hearing notices for Use Permits which will be heard before the ZAB, and notices about Administrative Use Permits (AUPs) which are not heard before the ZAB unless the decision by the City staff is appealed or is referred by staff. The Zoning Adjustments Board normally meets twice a month, on second and fourth Thursdays in the Council Chambers. In fiscal year 98/99, Current Planning processed approximately 93 applications that required a ZAB hearing. The figure for fiscal year 99/00 as of March was approximately 96 noticed hearings, which averaged about 5 public hearings for every meeting of ZAB. The AUPs, which can be of great importance for affecting land use matters in Berkeley, totaled 221 (not counting home occupations permits, which have been largely shifted to a "by right" category which does not involve notification) in 98/99 and approximately 120 in 99/00. There are other permits involving property changes issued by the Permit Service Center that do not involve hearing notices or AUPs and will not be discussed here.

Neighborhood Participation

The neighborhood has many roles to play in Berkeley land use decisions, but each of them must be carefully examined and delineated so as to not rely on the neighborhood as a kind of almost mystical symbol without organizational reality. With a few exceptions, most citizen participants in land use matters, especially at the ZAB, are not connected with any formalized neighborhood group. While the Current Planning Division maintains a mailing list of dozens of neighborhood organizations, some of them have not functioned in years. There are few City staff that have neighborhood contact as central to their job description. Finally, the

neighborhood concept often is more realizable in smaller units, such as street organizations, which have a narrower but equally important focus.

Technology and Participation

There exist, as perhaps never before, new technologies for linking Berkeley citizens with Berkeley decision-making on planning and land use issues. Berkeley ought to maximize these avenues, while recognizing that perhaps not all citizens will be equally adept at adapting to these linkages. The question is not so much whether to use a particular technology but how to use it most effectively. In a sense, this section is a continuation of the policies on notification and information and also on neighborhoods. A central purpose of the new technology is the transmittal of notification and information to citizens who reside in neighborhoods.

The subsection below on Technologies for Citizen Participation considers how the City can best communicate through technology with citizens; then, how citizens might utilize the new technology to effectively communicate with one another; and finally, how citizens might use the new technology to communicate their ideas and positions back to the City agencies such as the Planning Commission, the Planning and Development Department, the ZAB, and other decision-making bodies. Paradoxically, while the new technology is for the most part impersonal, one of the key measurements of its success will be whether there is greater personal citizen contact with City staff and boards and commissions.

Citizen Participation and Land Use Administration

The responsiveness of Berkeley's administrative structure and staff is one of the most important factors which determine the effectiveness of citizen participation in any aspect of Berkeley government, but especially in land use decisions. If there are any problems in a wide range of governmental aspects ranging from departmental structure to division of labor in job descriptions, these problems will lower the quality of government response to citizen participation. If there is a lack of coordination, for example, between the Codes and Inspection staff and the Current Planning staff, the consequences affect the ability to respond with the high level of effectiveness that must be the standard. If there are delays in hiring, and citizens' complaints concerning the enforcement of Use Permit conditions are ignored for months at a time, the responsiveness of the City structure and staff is deeply inadequate. If there are no systematic procedures for measuring citizen satisfaction with land use administration, the information needed to effectively administer this aspect of the City is defective.

ELEMENT OBJECTIVES

The policies and actions of the Citizen Participation Element are intended to achieve the following six objectives:

1. Ensure citizen and community participation in General Plan and other planning tasks.
2. Improve citizen participation in relationship to the crucial decision-making bodies in land use matters.
3. Enhance notification, information, and process for citizen input in land use matters.
4. Improve neighborhood participation in land use planning and decisions.
5. Increase the use of new technology for citizen participation.

6. Improve the role of City administrative structure and staff in relationship to meaningful citizen participation.

POLICIES AND ACTIONS

CITIZEN PARTICIPATION IN GENERAL PLANS AND OTHER PLANNING TASKS

Policy CP-1 The General Plan

General plans and amendments must originate and proceed with citizens' groups continuously central to the process.

Action:

- A. The Planning Commission should establish clear procedures for maximum citizen participation in the General Plan amendment process, including providing procedures for citizens to recommend amendments to the General Plan and procedures for citizen input into the Commission's annual report to the City Council on the status of the General Plan and its implementation (*Also see the Introduction chapter's section "Amending the General Plan," on pages 1-7 and 1-8.*)

Policy CP-2 Community Involvement in Planning

Whenever an area plan, a strategic plan, or any other land use planning is undertaken, there must be continuous and maximum participation by those who will be affected by the plan including committees of residents who live in or near the plan area, merchants, and others who do business in the plan area, as well as members of interested groups and the general public. (*Also see Land Use Policy LU-5, Economic Development and Employment Policy ED-5, and Open Space Policy OS-5.*)

Action:

- A. The Planning Commission should use advisory committees made up of stakeholders and interested parties, review at Planning Commission meetings the progress of such groups, and consider the possible chairing of such groups by Commission members to effectively inform the Commission of citizen and neighborhood concerns and priorities.

CITIZEN PARTICIPATION AND LAND USE DECISION-MAKING BODIES

Policy CP-3 City Council Procedures

Analyze and suggest improvements in the performance of the City Council in its procedures involving citizen participation in land use planning and decision-making.

Policy CP-4 Outside Agencies

Improve participation by Berkeley citizens in the crucially important planning decisions made by bodies outside the structure of Berkeley City government such as the University of California, the City of Oakland, AC Transit, BART, and others.

Policy CP-5 Boards and Commissions

Examine how citizens can most effectively participate in their appearances before boards and commissions.

NOTIFICATION, INFORMATION, AND IMPROVED PROCESSES FOR CITIZEN PARTICIPATION

Policy CP-6 Planning Commission

Specifically improve the effectiveness of the Planning Commission as the most important avenue for citizen participation in the planning process. (*Also see Land Use Policy LU-5 and Housing Policy H-52.*)

Actions:

- A. The Planning Commission should continue and expand its recently adopted procedures linking the public comment period more closely to agenda items being discussed.
- B. The Planning Commission should consider modifying its traditional three-minutes-per-person public comment and public hearing format to facilitate more effective citizen input.
- C. The Planning Commission should utilize, when appropriate, a more informal, less structured workshop format with citizens able to speak more than once and with an emphasis on give-and-take among speakers and Commissioners.
- D. The Planning Commission should modify its public hearing notification policy to provide time for citizens to submit material in writing that reaches Commissioners in their packets prior to the meeting.
- E. The Planning Commission should assure that its notices are readable and that they convey the necessary information to citizens.

Policy CP-7 Zoning Adjustments Board

Specifically improve the effectiveness of the Zoning Adjustments Board (ZAB) for citizen participation in land use decision-making processes. (*Also see Urban Design and Preservation Policy UD-22 and Housing Policy H-51.*)

Actions:

- A. Consider lengthening the Zoning Ordinance's present notification period to a somewhat longer period so that citizens have more than a few days to effectively respond.
- B. Codify the long-standing practice of the Zoning Officer of enlarging the definition of affected area to be notified beyond the minimum owners and residents of abutting and confronting properties when a Use Permit hearing before the ZAB is involved and consider requiring applicants to post a large poster-sized sign about the project on the property.
- C. Examine timetables and procedures of the Current Planning Division under the California Permit Streamlining Act to maximize the time available for the Zoning Adjustments Board and citizen examination of requested Use Permits.
- D. Establish a timely and effective method of notifying interested parties when an application is again being set for hearing after a hearing has been continued.
- E. Establish the authority to require the applicant to provide relevant information, including story poles, concerning the project to neighbors and other interested parties.

- F. Change the content requirements of the Notice of Public Hearing to specifically require relevant and helpful information.
- G. Make staff reports on proposed projects available to applicants and others involved in a systematic and effective manner.
- H. Clarify the Administrative Use Permit (AUP) process, which does not provide automatically for public hearing, so that citizens better understand the process and can more effectively participate in it.
- I. Provide for effective citizen participation in the AUP process through staff outreach to persons interested in and affected by the project.
- J. Examine the cost to the citizen of appealing an AUP, as well as Zoning Adjustments Board certification of AUPs similar to the Council's certification of Use Permits.
- K. Redefine and narrow the use definitions in the Zoning Ordinance to reduce the practice of "Stealth permits," through which many types of businesses may be transferred or changed without adequate review.

IMPROVED NEIGHBORHOOD PARTICIPATION IN LAND USE DECISIONS

Policy CP-8 Neighborhoods and Planning

Encourage neighborhood and street organizations to develop expertise and knowledge in land use planning and to serve as a resource for citizens seeking to participate in land use decisions.

Actions:

- A. Using new mapping information and other relevant methods, utilize neighborhoods and street locations as organizational tools for distributing information so that their residents can instantly see what land use decisions and projects might affect them.
- B. Formalize the role of neighborhood consultation by project applicants.
- C. Establish and evaluate pilot projects for neighborhood bulletin boards maintained by the City in conjunction with neighborhood groups.

TECHNOLOGIES FOR CITIZEN PARTICIPATION

Policy CP-9 City-to-Citizen Communication

Regardless of technology and content, the communications methods, whether based on the Internet, voice mail systems, or any other linkage, must be user-friendly, engendering a minimum, if any, of frustration in the citizen user.

Actions:

- A. Use geographic information system and other technology to facilitate information transmittal to citizens concerning land use information for their geographic areas of the city.
- B. Use new technology to offer the citizen not simply the whole of the Zoning Ordinance or the entire Berkeley Municipal Code, but also carefully crafted materials enabling the citizen to be effective and save time.

- C. Post supporting documents such as staff reports for the next current meeting of boards and commissions dealing with land use matters in an easily accessible location on the City website.

Policy CP-10 Citizen-to-Citizen Communication

Sponsor and facilitate citizen-to-citizen communication using new technologies.

Actions:

- A. Consider sponsoring online forums to stimulate citizen-to-citizen exchanges of information and opinions.
- B. Develop ways of using e-mail as a method of facilitating the citizen-to-citizen communication.

Policy CP-11 Citizen-to-City Communication

Use electronic mail ("e-mail") and other means as a way of ensuring that citizens can easily and effectively communicate their information and interests to the City.

Action:

- A. Institute other direct methods for citizens to provide information and evaluations of City policies and activities.

CITY ADMINISTRATION AND STAFF

Policy CP-12 Evaluation and Training

Through regular evaluations and training, ensure the highest possible level of City service to Berkeley citizens. (*Also see Land Use Policy LU-5.*)

Actions:

- A. Establish clear and detailed citizen response evaluation forms for evaluating the specific performance of each administrative unit and its personnel dealing with the public in land use matters such as: overall satisfaction, time of response, evaluation of the level of professional expertise, and aspects of the service which could be improved. Make the evaluation forms available at public hearings, in letters to citizens, at City offices, and at other appropriate places.
- B. Initiate systematic implementation of the information gathered in evaluating the performance of the relevant units as well as in staff performance evaluation.
- C. To improve the performance of those who serve the public in land use matters, utilize the knowledge gathered by boards and commissions who work with these City administrative units and their personnel week in and week out over the years.
- D. Carefully assess and evaluate the effectiveness of the present structure of the Planning and Development Department, which distinctly divides the professional roles between Advance Planning and Current Planning with virtually no overlap of functions between them.
- E. Dramatically improve the capacity of the City to respond to and facilitate the handling of citizen complaints concerning the lack of conformance with conditions and requirements in land use permits.

- F. Institute staff training in dealing extensively, openly, and effectively with citizen participation in Berkeley.

IMPLEMENTATION



INTRODUCTION

The General Plan includes an ambitious list of actions and programs. Given the large number of policies and actions and the limited resources that are available to the City annually, it is not possible to fund every action and program in the plan at once. Effective implementation of this General Plan will require a periodic process to prioritize the actions and programs to determine the priority for funding specific actions and programs each year over the 20-year life of the General Plan.

To ensure that the City's biennial budget decisions are consistent with the General Plan and the community has the opportunity to prioritize General Plan actions and programs prior to the City Council's biennial budget decisions, the Implementation Element establishes a public process for making recommendations to the City Council on the status of the plan and proposed budget allocations. This approach to General Plan implementation ensures that the plan remains a dynamic, responsive document and that the City's budget decisions are consistent with the long-term goals of the City's General Plan.

OBJECTIVES

The objectives of the Implementation Chapter are to:

1. Ensure effective implementation of the General Plan by coordinating General Plan priorities with the City Council's budget and capital improvement decisions.
2. Ensure that annual budget and capital improvement plan expenditures address current community priorities and needs as well as long-term goals for the physical development of the city.
3. Ensure that the General Plan remains a dynamic, up-to-date, responsive guide for the physical development of the city.

POLICY AND ACTIONS

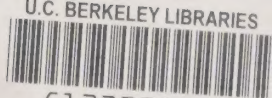
Policy IM-1 General Plan Implementation

Maintain the General Plan as a dynamic, responsive, up-to-date guide for public decision-making and expenditures.

Actions:

- A. Annually, the Planning Commission will hold at least one public meeting to discuss the status of the General Plan and progress made toward implementation.
- B. Biennially, the City staff will prepare a status report for the Planning Commission on the General Plan that includes: 1) a summary or matrix evaluating the City's progress toward achieving the General Plan's objectives and implementing the policies and actions, 2) any recommended amendments to the General Plan or Area Plans, and 3) any staff recommendations regarding future year(s) funding for General Plan actions and programs. The report should be available to the Commission no later than December of the year prior to the adoption of the biennial City Budget. All relevant City departments should participate in the preparation of the report, and the report should be circulated to all relevant boards and commissions prior to the Planning Commission public meeting. After its meeting on the status of the General Plan, the Planning Commission should forward a report to the City Council on progress made in implementing the Plan and include any recommendations regarding the highest priority General Plan actions or programs that should be funded in the upcoming biennial budget.
- C. Prior to the adoption of the citywide Budget and Capital Improvement Program, the City Council shall review progress made in implementing the General Plan and associated Area Plans.
- D. When adopting the City Budget and Capital Improvement Program, the City Council shall include a finding of consistency with the General Plan and associated Area Plans.
- E. To help ensure adequate funds for capital improvements identified in the General Plan, the City should maintain capital reserve funds and whenever possible set funds aside each year for future capital projects. Expenditures from the committed reserves should be made in consultation with appropriate boards and commissions through the annual review and biennial budget process.

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